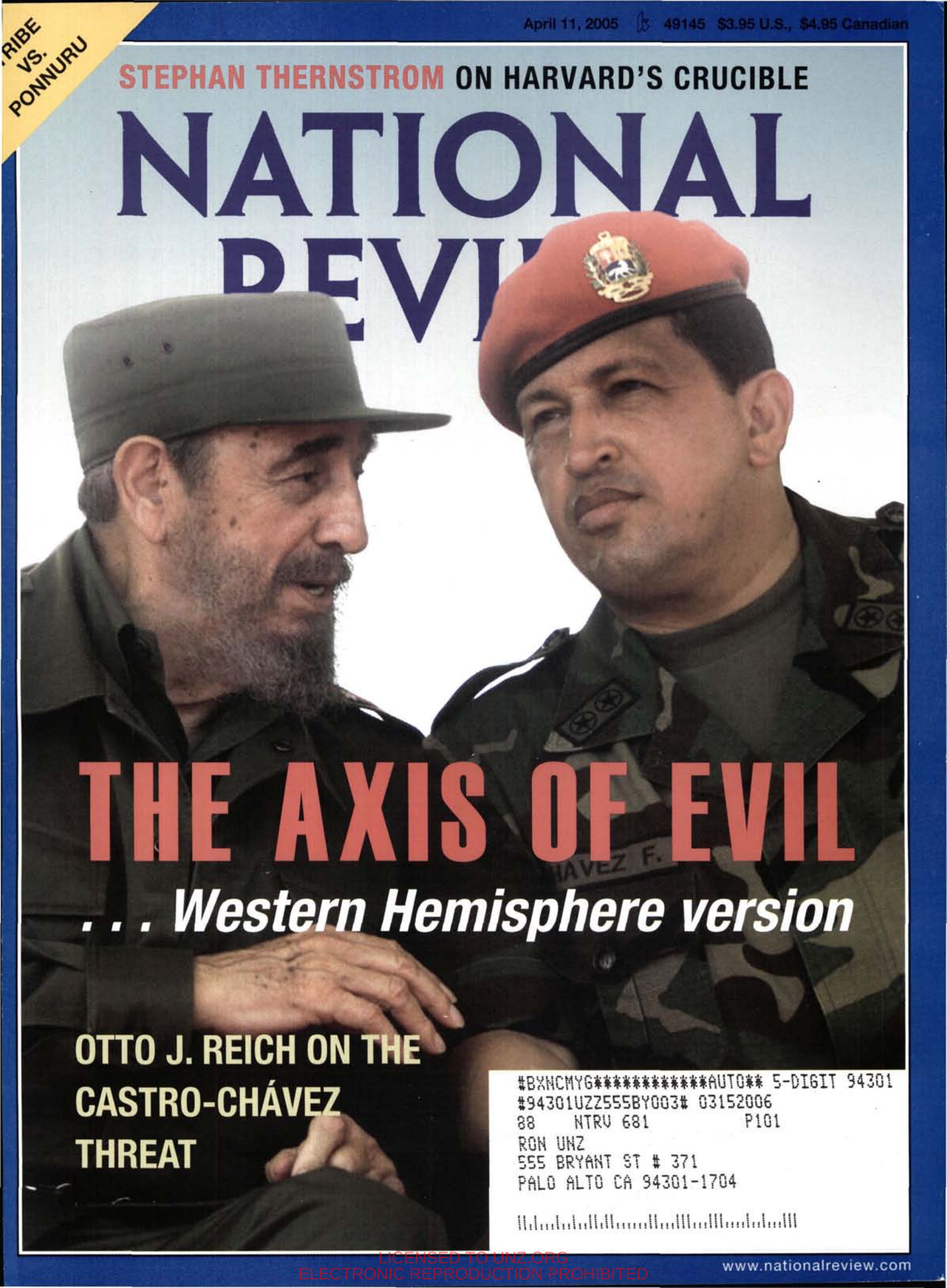




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NATIONAL REVIEW

THE AXIS OF EVIL

... Western Hemisphere version

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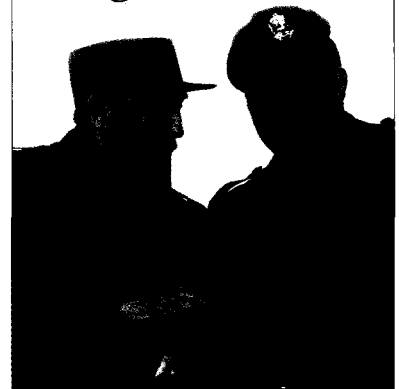
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■ COVER STORY

Latin America's Terrible Two

The Western Hemisphere is the strategic rear area of the United States. The U.S. needs a secure and prosperous hemisphere not only to ensure a peaceful neighborhood in which to live, but also to be able to project its power to the farthest reaches of the globe and win the War on Terror. Our most pressing specific challenge is neutralizing the Cuba-Venezuela axis. *By Otto J. Reich*

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letters to the editor

DEFENSE AND PROSECUTION

Ramesh Ponnuru accuses me of presenting "fantasy as fact" ("How to be a Hero of Liberty," March 14), but succeeds only in displaying NATIONAL REVIEW's lack of journalistic scruple.

I have written much about how the Ninth Amendment serves not as a separate source of rights but as a reminder that enumerated rights like "freedom of speech" may reach beyond their literal terms and that some fundamental rights are not enumerated at all but must be inferred from the Constitution's structure, history, and "tacit postulates." Ponnuru doesn't attack those writings on the merits. Instead, he undertakes a virtual grave-robbing exercise, excavating an eleven-page memoir from *Green Bag* in which I recall, in a voice deliberately "personal, not professional or academic or legal," my struggle to cope with my father's sudden death a day after I called home to wish him and my mother a happy 40th anniversary.

In that memoir, I reflect on the long path that "sweet and gentle man" had taken from his birthplace in Byelorussia in 1902: from his becoming a U.S. citizen in California, to his internment as an American in a Japanese concentration camp near Shanghai in World War II, to his death in 1980 just days before what was to be my first Supreme Court argument, in a case (*Richmond Newspapers*) that became the first to uphold the public's right to attend criminal trials.

My essay was in essence a family scrapbook, complete with baby pictures and photos of my father—not a tract on the trajectory of legal doctrine. It spoke not of the dynamics of the Court or the psychology of its justices but of "the emotional equation I felt as I stood" before them to argue that case "so soon after seeing my father's body" in an open casket—an equation in which "the murdered man's wife and kids" were "among the victims of the state's decision to conduct" the trial of the accused murderer "outside their gaze." For them, I wrote, "seeing the processes of justice" come to closure around their father's slaying "might in some way have been like what I needed

to see before the casket closed."

That emotional connection impelled me to press, both orally and in my reply brief, the argument that even if the public's right to see justice done was not protected, in so many words, by the First Amendment's "freedom of speech" or by the Sixth Amendment's right "of the accused" to a "public trial," the "tacit postulates" of our system protected that right. The Ninth Amendment is among the reminders that those postulates count every bit as much as the text itself.

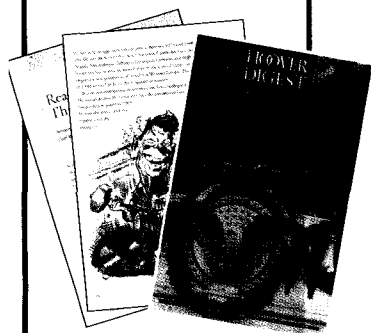
Ponnuru, missing the point, fastens on how frequently I used the words "Ninth Amendment." He condemns my memoir as "self-serving fantasy" upon finding those words mentioned in my opening and reply briefs, but "not even once" in my oral argument. But the memoir's detailed description of that argument nowhere implies I had invoked whatever genie he wrongly supposes those words would have unleashed. Ponnuru even insinuates that I wrote my memoir to inflate my "fame" by claiming credit for persuading the Court to mention the Ninth Amendment. I made no such claim. The amendment, part of our Constitution since 1791, was hardly my discovery!

He then tries to make that (non-existent) boast seem even sillier by insisting that the "Ninth Amendment argument" provided only a "rhetorical flourish" in my brief. In fact, it occupied seven pages, in a section whose title quoted the amendment's text but whose burden was that even precedents not mentioning the amendment, involving "unenumerated rights" such as voting, travel, and proof beyond a reasonable doubt, support a *mode of analysis* that covers the public's right of access to criminal trials.

Responding tit-for-tat to each of Ponnuru's distortions is rendered unnecessary by scotusblog.com/movable-type/archives/Ponnuru.pdf, a devastating, line-by-line demonstration that his piece, published online weeks before the print version, was a pastiche of misstatements. It remains only to ask readers of this once discerning if ideological magazine to reflect on its decision to reprint so misinformed an attack on my character despite

Cops and Citizens

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As a newly promoted patrol supervisor in Manhattan, I learned a lesson that stuck with me for the rest of my thirty-five years in policing. An inspector (a God-like rank to a sergeant) took me to a meeting with citizens angry at cops.

The confrontation took place with a group of reform Democrats on upper Broadway near Columbia University. The crowd was largely, if not exclusively, Jewish. The big, ruddy-faced Irish inspector in a rumpled suit was known for his curt manner, but he listened patiently to complaints about how cops were rude and indifferent to citizens' problems, spending more time sitting around restaurants having free coffee and meals than on assigned foot patrol.

Baby faced and with a crisp new uniform, I silently conceded that many of the criticisms were justified. But the charges got more serious. Cops were unnecessarily rough, outright brutal, racist, and fascist and pushed people around at whim.

People of the Jewish faith were, in fact, underrepresented on the force. It was a safe guess that none of the people present were acquainted with a cop or had a relative in the department. The more grievous charges stemmed from the common misconception that the police were the beginning and end of the criminal justice system. Cops were expected to stop crime and to subdue potentially lethal people with the magical judo often seen in television shows and movies.

Finally, the inspector said: "**Ladies and gentlemen, just remember one thing. If it weren't for us cops, you'd have to do what we do!**"

A silence fell. I could picture people's imaginations at work, conjuring up images of

dangerous criminals, drunks, or deranged individuals threatening them, without a cop arriving to protect the innocent by putting themselves in harm's way. People also envisioned gory accidents, dealing with suicides or the bodies of elderly people found alone in their apartments weeks after their deaths, and the myriad of other unpleasant duties shouldered by the police.

The tone of the meeting abruptly changed. People assured us that they weren't anti-cop. They had reasonable complaints, but the main purpose of the meeting was to see how they could help the police do their jobs.

I took away from the meeting the conviction that, **to be effective, cops and communities need frank discussions.** Rank-and-file cops improve their behavior when exposed to public opinion. In turn, when citizens learn the complexities of the police job, they are more inclined to form partnerships with the police to keep their neighborhoods safe. Cops learn that support from law-abiding citizens is their best asset. It is the civilian who dials 911 to report a crime, who helps police gather evidence, who volunteers to testify, and, who as a juror, believes police testimony.

I served as police chief for two large cities after retiring from the NYPD with the rank of inspector. During those eighteen years, I found that frequent, candid discussions between beat cops and citizens weren't mushy, feel-good public relations. Meetings like the one on Broadway, and those I instituted in Kansas City, Missouri, and San Jose, California, reduce crime, increase cops' job satisfaction, and improve people's quality of life.

—Joseph D. McNamara

Joseph D. McNamara is a research fellow at the Hoover Institution

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letters to the editor

that intervening demonstration.

*Laurence H. Tribe
Cambridge, Mass.*

RAMESH PONNURU REPLIES: Professor Tribe closes his letter with a bizarre allegation. He claims my article appeared first online and was then “devastatingly” refuted, and that NR reprinted it in the magazine after the refutation. These claims are false. My article appeared in an issue that went to the printer on Feb. 23. The pages were faxed to Tribe on Feb. 24, and National Review Online ran the article on Feb. 25. The attempted refutation, written by Tribe’s associate Tom Goldstein, appeared online in the first week of March.

Not that it matters. Goldstein has not refuted me, although he has so far spent 17 pages trying. Nor has Tribe here.

My article reported that Tribe, in a 2003 essay, had misrepresented his conduct during a 1980 Supreme Court case. He depicted himself as having made a brave Ninth Amendment argument even though he faced strong pressure from the legal establishment not to do so. The evidence failed to support this self-portrait. Other lawyers involved in the case pressed the Ninth Amendment argument more forcefully than he did.

Tribe and his defenders attack my characterization of Tribe’s conduct both in 1980 and in 2003. They claim that his essay did not present him as making a strong Ninth Amendment argument, but that as it happens he did make one.

Tribe’s essay concerned how his father’s death affected how he argued the case. His letter goes over one effect that he discussed there. Seeing his father’s body in an open casket, he explained, helped him understand how being able to see a murder trial would help the murder victim’s family. My article mentioned that passage of his essay. But it also mentioned another passage, which Tribe now conveniently skips over.

In that passage, Tribe explained that his grief permitted him to “see a bit more

clearly through the fog of superficial arguments and objections”; “steeled” him against “eleventh-hour distractions and importunings” from co-counsel; and thus reinforced his “resolute commitment to arguing the case in Ninth Amendment terms.” (He already had this commitment because, as he informed us in his essay, he is a man of deep principle.)

The theme of Tribe’s putatively courageous, steely determination to argue his case in Ninth Amendment terms was not incidental to the essay. He said he would not “pull [his] punches” and that he would not “back[] away” from the amendment. He referred to what he had “dared to say” in the courtroom—and the only thing the essay presented as daring was the Ninth Amendment argument. The references to Tribe’s daring, resoluteness, etc., make no sense in any other context (a point Goldstein ignores).

Turning to Tribe’s briefs: Even if we grant Tribe’s claim that his invocation of the Ninth Amendment on the merits was more than the mere “rhetorical flourish” I said it was, it is undeniably true (and damning to Tribe’s self-depiction) that other parties’ briefs made more vigorous Ninth Amendment arguments. That suggests Tribe fibbed when he insisted that making his

more timid one required resisting massive pressure. Tribe’s claim that he bravely refused to back off this argument in his reply brief cannot be squared with the fact that opposing counsel had not bothered to attack the argument to begin with.

It also remains true that Tribe said nothing daring in front of the Supreme Court. I noted that Tribe incorrectly attributed to Chief Justice Burger questions that were actually asked by other justices at the end of the oral argument. Goldstein concedes that Tribe’s account is mistaken and confused, and identifies no errors in my own account. But he accuses me of “misdirection.” (He says I implied that nobody had kept Tribe at the podium for several overtime minutes; this is untrue.) And he says that Tribe’s mistakes were honest. Maybe so: It is clear that Tribe’s memory of the events of late February and early March 2005 is far

from impeccable. But it’s funny how Tribe’s mistakes work in his favor. The misattributions make Tribe’s story about how Burger was asking for his “help” in sketching his opinion seem credible. Whether this story resulted from deliberate embellishment or the tricks of memory, it remains, as I called it, a self-serving fantasy.

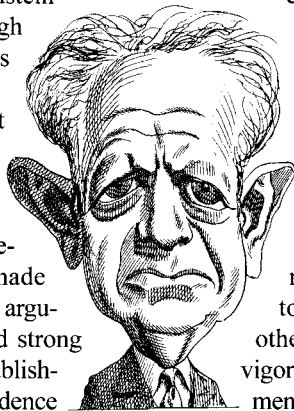
Any reasonable reader who first read Tribe’s essay and then read my article would be surprised to learn, in the latter, that Tribe did not mention the Ninth Amendment at oral argument, and that several friend-of-the-court briefs by other lawyers relied more heavily on it than his own did. The essay suggests the opposite.

Some commentators argue that even if Tribe misrepresented his record, his offense was minor. While I do not think that it was trivial, I have never suggested it was a firing offense (or even the worst offense Tribe has committed). My article did not conclude with any call for censure. I merely noted that Tribe’s conduct violated his self-proclaimed standards, announced when he opined in another controversy that the “cardinal sin for any scholar” was to present “as fact what was, in truth, fantasy.” And I suggested that it was “sad and curious” that a professor and litigator as accomplished as Tribe would tell tall tales.

It is interesting that Tribe does not take the acknowledge-but-minimize tack. It’s as though he cannot bring himself to admit that he has done anything wrong, however arguably minor. As Alan Dershowitz commented in 1992, during another controversy involving Tribe, “This whole thing shows one of Larry’s problems, which is speaking out of both sides of his mouth. . . . ‘I didn’t say that, and if I said it I didn’t mean it’: that’s the sort of thing you get from him. . . . In this matter, he should have been big enough to say he screwed up and let it go at that. Instead, he has to make all his positions come out right.”

CORRECTION

The editors goofed in titling the W. H. von Dreele verse on page 43 of our last issue. The title should have been “Two Old Troupers,” not “The Big Question.” The subjects of the verse were Chirac and Schroeder, who do raise big questions, but who sadly troupe on, as well.





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THE WEEK

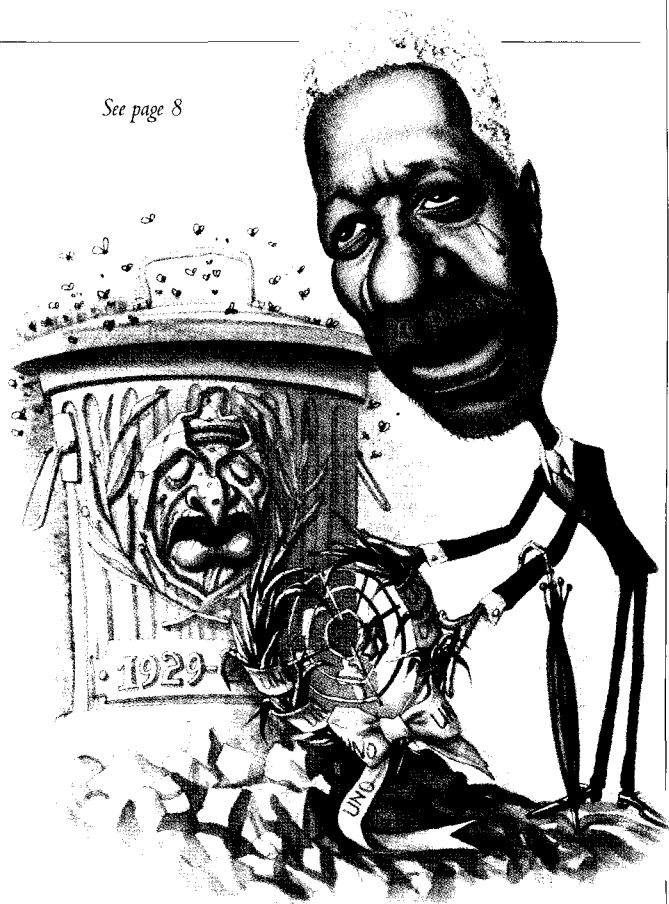
■ *Playgirl* has fired its editor for announcing that she is Republican. The world is spared a Men of NATIONAL REVIEW issue.

■ The Senate has finally acceded to years of Bush-administration requests to allow drilling for oil in the Arctic National Wildlife Refuge in Alaska. Full congressional approval is expected to come soon. ANWR has too little oil for drilling there to represent a solution to America's energy problems. But we are inclined to believe that the environmental impact of the drilling can be minimized. And since a solution to our energy problems does require facing down environmental hysteria, we are also inclined to see congressional approval as a very good thing.

■ Liberals are complaining so much about the Alternative Minimum Tax, you would almost think that they wanted to cut it. The AMT was originally designed so that rich people and corporations couldn't deduct their way out of paying any taxes. If your tax liability under the regular tax code is lower than what you would pay under the AMT, you have to pay the AMT. It is a nasty feature of our tax laws that until recently affected a small number of people. For a variety of reasons, it is now affecting more and more people. For one thing, the AMT isn't indexed for inflation while the regular tax code is. For another, President Bush's tax cuts have lowered many people's regular tax bills so much that they have to pay the AMT. The solution, for many liberals, is to bring the regular tax rates back up—which would hardly help any of those AMT victims. Simply getting rid of the AMT, the best solution, is impractical: The government is relying too heavily on it. Under the circumstances, what Congress should do is to mitigate the AMT's worst effects. Because of the way it interacts with the rest of the tax code, the AMT is very punishing on savers and large families. Congress can fix that, and, if it has the appetite for more reform, index the tax for inflation. Let's see if liberals are up for that.

■ The president has selected Rep. Rob Portman (R., Ohio) to be the new trade representative. Portman is one of 25 members of the House whom the Cato Institute considers to be relatively reliable supporters of the freedom of international commerce. But he is not a purist, having favored steel tariffs. Imposing and then rescinding those tariffs was the most memorable trade-policy act of Bush's first term. The tariffs were imposed in part to get a reluctant Congress to give Bush the authority to negotiate free-trade deals, and then were rescinded because they hurt steel-using companies too much. Now the tariffs are gone and the president has deal-making authority. We hope that Portman makes the

See page 8



most of that authority—and gives the administration free-trade accomplishments that make the steel episode a distant memory.

■ The nomination of deputy defense secretary Paul Wolfowitz to head the World Bank shows that President Bush does not scant the importance of multilateral institutions, as the caricature has it, but rather dissents from conventional liberalism about what their future should be. He has chosen to send one of his administration's most capable officials to the bank. There have been all the predictable yelps about Wolfowitz's being an "architect" of the Iraq invasion, as though there should be some shame in this fact (or, rather, in this overstatement). The World Bank certainly would benefit from its own version of the Arab Spring that Wolfowitz helped to bring about. The bipartisan Meltzer report, released in 2000, judged 59 percent of the loans made by the bank in the 1990s to have been failures. Wolfowitz's critics will shift back from being antiwar to anti-globalization—which shows a perverse consistency, since the Iraq war and free trade have done more for oppressed Third Worlders than anything those critics have dreamed up.

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THE WEEK...

■ Voters were never enthusiastic about campaign-finance regulation. They may have favored the idea when asked about it by a pollster, but they were hardly demanding congressional action. So the proponents of regulation had to foster the illusion of a groundswell of support. Sean Treglia, a former officer at the Pew Charitable Trusts, revealed the scam at a recent conference. The strategy, he said, included creating fake grassroots organizations to promote “reform”: “The idea was to create an impression that a mass movement was afoot—that everywhere they looked, in academic institutions, in the business community, in religious groups, in ethnic groups, everywhere, people were talking about reform.” Pew was one of a handful of organizations that put millions into the lobbying effort. Treglia confessed at the conference that he worried that reporters might catch on to the deception—but exulted that they never did. The reformers had that base covered, too. Ryan Sager, who revealed Treglia’s comments in the *New York Post*, also brought attention to the fact that the reformers paid media outlets such as the liberal *American Prospect* and NPR to file invariably pro-reform stories—and those outlets did not always disclose the connection. Treglia & Co. have been in full spin mode since Sager’s story appeared. Treglia says that there was no intent to deceive. With slightly more credibility, his defenders argue that everyone in the know always understood that campaign-finance regulation was not a populist issue. But even this is baloney. Many politicians and journalists did carry on as though the people were gung-ho to pass a bill. If they knew better, they didn’t let the public in on it. It turns out that crusades against political corruption can have corruptions all their own.

■ Lebanon continues to boil. It has seen the amazing spectacle of dueling mass protests in Beirut. A Hezbollah protest drew an estimated 500,000 (reportedly swelled by demonstrators bused in from Syria and the PA), but was quickly trumped by an opposition protest that numbered as many as a million, which would be a quarter of the population. The opposition has successfully gained the high ground of Lebanese nationalism, and begun to draw support from all ethnic and religious groups. Assad has redeployed Syria’s troops and—most significant—has ordered at least some intelligence agents to leave Beirut. International pressure must remain firm to force Syria out of Lebanon entirely. That would be a blow to Hezbollah and perhaps the foundations of Assad’s regime. He and his allies won’t go quietly, as a recent bombing in a Christian neighborhood demonstrated. (It killed nine.) But the ice continues to crack in the Middle East.

■ While the world frets over Lebanon’s future, some Lebanese are taking a more lighthearted approach, using e-mail to circulate anti-Syrian jokes, cartoons, and even their own deck of “most wanted” cards. The cards, which mock

Lebanon’s pro-Syrian politicians, include President Emile Lahoud (“Puppet President”) and Prime Minister Omar Karami (“Syrian Apologist”), who resigned in February only to return to office shortly thereafter. While the cards may not tell us much about the potential for democracy in Lebanon, their very existence points to a burgeoning of freedom, and to a weakening of Syria’s despotic grip on that country. The Lebanese are increasingly unafraid to speak their minds, and that alone bodes well for their future.

■ Kofi Annan just can’t win. When he does nothing (Rwanda, Iraq), people get killed; when he does something, he commemorates their killers. What’s a U.N. secretary general to do? (Our answer: Resign.) Annan’s latest little fiasco concerns a trip to Ramallah, where he laid a wreath at the tomb of Yasser Arafat, the well-known terrorist, mass murderer, and recipient of the Nobel Peace Prize. This preceded his visit to Jerusalem to attend the inauguration of the Holocaust History Museum at Yad Vashem, where he gave a worthy and moving speech. Surely no irony occurred to Annan or anyone else in the U.N. party.

■ One of the most cheering things George W. Bush ever did was “divorce” Yasser Arafat after learning that the old murderer had lied to him. Arafat must have been devastated. He’d been lying to Western politicians for 35 years, and none of them had ever seemed to mind. Well, now our George has deleted another terrorist gang leader from his Rolodex, this one Gerry Adams, leader of a private army that spent 30 years murdering soldiers, policemen, and anyone else who got in their way—very much like old Yasser and the PLO. Meanwhile, Seamus Mallon, a former leader of the moderate Irish nationalist party SDLP, criticized Tony Blair for having made many concessions to the IRA over the years. It’s widely thought in Britain that Blair’s sole policy aim in regard to Northern Ireland has been to prevent bombs from going off in London on his watch. To do that, he’s had to cut deals with Gerry and the lads, while giving the cold shoulder to moderate constitutional politicians like Mallon, who don’t control any caches of explosives or firearms, and so were not worth Blair’s time. Good to see Bush freeze out the IRA; too bad Blair didn’t do the same thing years ago.

■ Condoleezza Rice was in fine form during her recent Asian tour. She held firm against North Korea, calmly dismissing pressure from Pyongyang to apologize for calling the country an “outpost of tyranny” and insisting on a return to the six-party talks. To reinforce the point, she made an unusual visit to an underground bunker in South Korea, from which a war against the North would be waged. She also called for greater openness and respect for human rights in China, and subtly rebuked Beijing for its restrictions on religious freedom by attending a church service on Palm Sunday (albeit a state-sanctioned one). Her trip is more proof that the president’s second inaugural address was more than hot air.

■ The Islamic Commission of Spain, the group that repre-

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THE WEEK...

sents Spain's Muslims, issued a fatwa against Osama bin Laden on the anniversary of the Madrid train bombings. The group condemned bin Laden for *istihlal*, or making up his own religious laws—e.g., claiming that his terrorism is authorized by the Koran when in fact it is “totally banned and must be roundly condemned.” Since 9/11, the question before the house has been: Is Islam a great world religion hijacked by lunatics, or is there some organic relation between terror and a corrupt tradition? Ultimately this is a question that can be answered only by Muslims themselves, in their ongoing actions and reactions. The Spanish fatwa gives a nudge in the direction of morality and sanity.

■ China's unelected parliament, at the bidding of China's unelected government, passed a law making it illegal for Taiwan to secede from the nation that does not rule it, and has not ruled it to any serious effect for a hundred years. The vote was 2,896 to 0, with 2 abstentions. The vote tally tells us what we need to know. We hear much about the new China, about the great improvements in living standards, about economic opening, about the prospects for political liberalization. Yet when the matter is something China's rulers really care about—in this case, shoring up their public support by striking nationalist poses—the old Leninist norms still apply. Applause. Unanimous applause. Ovation. Standing ovation. All stand. Long live the infallible Party!

■ Vicente Fox, the president of Mexico, is deeply disturbed by the prospect of U.S. citizens reporting the breaking of U.S. laws to U.S. authorities. At a press conference, Fox said Mexico is carefully watching the Minuteman Project, an initiative by Arizona citizens to monitor illegal border crossings and report them to the U.S. Border Patrol. Fox says that Mexico will “take action in U.S. courts or international tribunals if any of the activists break the law” (in the words of a newspaper report). Fox's concern for the integrity of U.S. laws is very touching. It would be a tad more convincing, though, if his own government were not printing guidebooks telling its citizens how to break our laws, and if his economy

HOW COULD HE?

*The president's picked Wolfowitz
To head the World Bank. Well!
It's as if Merlin had been named;
No kidding, lefties smell
Something that's almost Faustian,
When, actually, Paul
Just wants to cushion Baghdad for,
One gathers, the long haul.*



—W. H. VON DREELE

were not profiting from several billion dollars sent into it by Mexicans living here illegally.

■ The Rev. Joanna Jepson, an Anglican curate, asked the courts to investigate the 2001 abortion of a 28-week-old fetus with a cleft lip and palate. English law permits abortion after the 24th week only in cases of children with a “serious handicap.” Two doctors decided that the condition was serious, but the Reverend Jepson has reason to disagree. She was born with a jaw defect, and her brother has Down syndrome, yet both of them, she believes, have led full and satisfying lives. “The baby in this case did not have this opportunity.” The courts have now dismissed the Reverend Jepson's complaint, recalling another Anglican, C. S. Lewis, who argued that mankind's power over nature, if it were ever achieved, would mean the power of one generation over all who followed.

■ America was transfixed by the story of Ashley Smith, the Atlanta woman who got Brian Nichols, the murderous fugitive who had taken her hostage, to calm down, let her go, and ultimately give himself up. Smith accomplished this by talking about her daughter, by reading from Rick Warren's *The Purpose-Driven Life*, a Christian guide to living, and by telling Nichols that his survival was a “miracle.” “You need to be caught for this,” Smith said. “You need to go to prison and you need to share the word of God.” Nichols's survival was a strange miracle. Judge Rowland Barnes, Julie Ann Brandau, Sgt. Hoyt Teasley, and David Wilhelm were murdered in his rampage the day before. Where was the Dispenser of miracles then? Come to think of it, Job gets a new family after his conversation with the Lord, but his old family is still dead as doornails. Theodicy, the effort to justify God's ways, in its intellectual hubris in fact panders to despair. Every passing moment vanishes into the unchangeable past. It is possible, by grace, to redeem the moment we are in. That was the miracle of Brian Nichols and Ashley Smith.

■ When Deborah Lipstadt, historian of the Holocaust, called David Irving, the bard of the Third Reich, a Holocaust denier, Irving sued. His case was thrown out of court—in Britain, mind you, where libel is easy to prove—and Lipstadt has written a book on the experience, *History on Trial: My Day in Court with David Irving*. C-SPAN wanted to cover Lipstadt's book, but also thought to give airtime to Irving, to present the unsuccessful plaintiff's view. The glory of C-SPAN is its air of omnivorous passivity—we film the world. As any guest of *Washington Journal* knows, they let all the wing-nuts call in (“Hello, Eureka, California, you're on”). But in fact even C-SPAN makes choices. They don't let the wing-nuts sit with Brian Lamb. As Lipstadt asked, what balance could Irving offer: “There was a tsunami; there wasn't a tsunami?” C-SPAN should make Irving phone in from Berchtesgaden.

■ Here's one for the Things We Already Knew file: The Project for Excellence in Journalism, part of Columbia's journalism school, has found that American media coverage

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THE WEEK...

of the last presidential election was three times more likely to be negative toward President Bush than toward Senator Kerry, and 50 percent more likely to be positive about Kerry than about Bush. Of course, this won't be news to anyone except the most obtuse. But at least we who saw it all along can now say: We told you so.

■ For a bunch of pacifists, those lefties sure have some anger-management issues. Take Nathan Alan Winkler, a 31-year-old Tampa resident, who went berserk when he saw a "Bush-Cheney '04" bumper sticker gracing Michelle Fernandez's car. She was taking her two small children to a ballfield when Winkler started honking his horn, screaming, driving in a threatening and dangerous manner, "flailing his arms" (as the police report noted), and holding up a sign reading "Never Forget Bush's Illegal Oil War Murdered Thousands in Iraq." "I guess this was a disgruntled Democrat," said a Tampa police spokesman. "Maybe he has that sign with him so he's prepared any time he comes up against a Republican." Mr. Winkler was arrested an hour later and charged with aggravated battery. Ms. Fernandez has been a registered Democrat since 1988 (Winkler, since 1996), but voted for the president's reelection. About Mr. Winkler, she says, "Here he is protesting the war and lost lives, and he is going to put me and my children in danger? This man has a serious problem." We'll say.

■ A place to avoid in New York City: 395 Hudson Street, home of hip-hop radio station WQHT. That was the scene of a shootout four years ago, when the entourage of rap artiste Lil' Kim encountered a rival rap group on the street outside the studio. There were some heated exchanges about the proper use of a diminished seventh, one thing led to another, and two dozen shots were fired—although, marksmanship being of about the same standard as musicality in the hip-hop community, only one person was wounded. Well, Lil' Kim did her best to cover up for her pals by lying her lil' head off on the witness stand, but she has now been convicted on three lil' perjury counts in a follow-up trial. As it happens, there was another shootout in the same spot, outside that same radio station, on February 28, when two quite different rap groups fell to arguing about the comparative harmonic merits of appoggiaturas and acciacaturas.

■ We thought we'd share with you the great Paul Johnson, writing about America, in *The* (London) *Spectator*: "The plight of Europe is such that, whenever I have the chance to talk to young people now, at any age from 12 to 20, I always urge them to make their future in America, particularly if they are clever and energetic, qualities essential for a vigorous life over there. America has everything Europe lacks. It has the world's most dynamic economy, making impressive gains in productivity while expanding the number of jobs at the rate of a quarter of a million a month. It is growing in numbers, attracting the world's best immigrants, and with a

healthy birth rate of its own. Population is just topping 300 million and will be 425 million by mid-century. It has a democratic spirit at all levels of society so that people really feel they create and participate in government. In science and philosophy, in painting, sculpture, music and literature, it makes Europe seem provincial. It has nearly 4,000 universities, including all the world's best. Most of all, it has a belief in its own future, a confidence that the world can be made, and will be made, a better place, not only materially but spiritually. It is the nearest we have in the world to The Good Society, and my only regret is that I did not make my home there 30 or 40 years ago, when I was still young enough to weather the change. Instead I have to make the best of enjoying the bits of England that are left, morsels of culture, dignity and civilisation not yet gnawed or gobbled up by the rodents of New Labour, the yobs and celebs, the hobbledehos of mass entertainment and the picklocks and con men who dominate that combined brothel and mortuary, the Palace of Westminster and all its sinister and unsavoury purloins."

■ It is odd that a man as unworldly as George Kennan should have had a profound influence on the world. The longtime Foreign Service officer and academic deplored vulgarity, materialism, democracy, and most exercises of American power (in his old age he suggested that the country be broken up into ten or twelve smaller ones). The grace of his prose guaranteed that his opinions would always be read, even as his eccentric estimates of the world guaranteed that they would never have an impact. Never, that is, except for two years, beginning in 1946. Kennan, a diplomat serving in the American embassy in Moscow, wrote the "Long Telegram," a primer on Stalinism for a policy establishment still puzzled by the breakup of the Grand Alliance. The next year, he wrote an article for *Foreign Affairs*, signed "X," urging the United States to meet Soviet aggressions with "unalterable counterforce." This doctrine, containment, became the foundation of American postwar policy. From the beginning, James Burnham—who advocated rollback—criticized it as too reactive. Kennan, for his part, abandoned it as too rigid. After three decades, and a firm whip hand from Ronald Reagan in the home stretch, a mix of containment and rollback worked. Kennan, who died at 101, should rest in peace, enjoying the gratitude, for his one great deed, of a nation he so little understood.

PUBLIC POLICY

Ruling Out Compromise

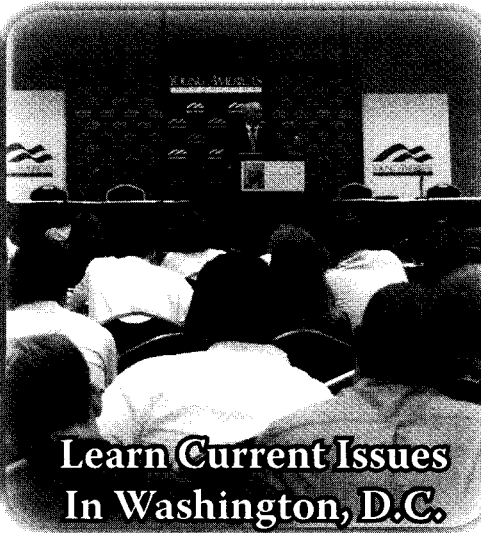
CALIFORNIA superior-court judge Richard Kramer has struck down the traditional marriage laws of his state, which were reaffirmed in a referendum in 2000. Like the Supreme Judicial Court of Massachusetts, Kramer found the law's definition of marriage as the union of a man and a woman to be not just wrong or outdated, but irrational. Neither the Massachusetts bench nor Kramer believes that the reasons for holding the

I thought I was the only conservative on a campus of leftists, but then...

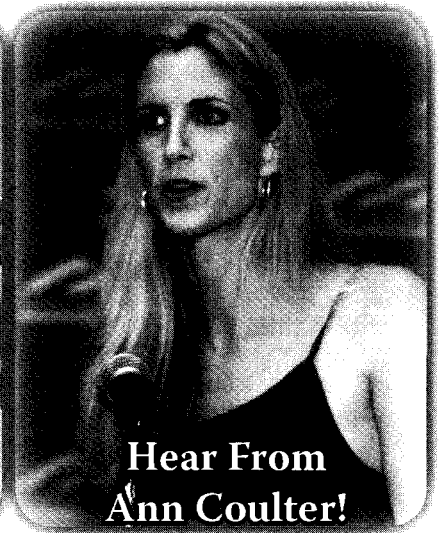
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THE WEEK...

view of marriage that everyone has held for millennia have been defeated by other, better reasons. They believe that there were no good reasons for regarding marriage as a male-female union in the first place. Thus, they have held that the common understanding of marriage cannot survive even the lowest level of scrutiny a judge can bring to bear on a statute.

But Kramer adds a few new twists of his own. The Massachusetts court rejected the idea that marriage should be defined as the union of a man and a woman because marriage has something to do with procreation. Since the culture and the law had weakened the links between marriage and procreation, the court concluded that marriage therefore had nothing to do with procreation; and any features of the marriage law premised on a contrary belief had to go. The reasoning was specious: The fact that the law and the culture contain inconsistent views of marriage does not license judges to resolve the inconsistency by throwing out those elements they dislike.

Kramer, however, did not even perform this perfunctory analysis. He merely 1) found that the California courts have not recognized procreation as a purpose of the marriage laws, 2) observed in passing the “obvious natural and social reality that one does not have to be married in order to procreate, nor does one have to procreate in order to be married,” and 3) found that procreation—therefore!—has nothing to do with any legitimate purpose of the marriage laws.

This type of pseudo-rationalism would undermine any marriage law at all. Consider the idea—tossed around in recent months by libertarian, liberal, and even some conservative thinkers—that we should “privatize marriage.” The law would no longer recognize marriage as such but rather recognize whatever contracts people choose to make. If someone were to fight in the courts for this agenda, what would Kramer have to say to him?

Under any set of marriage laws, the fit between the laws’ purpose and the eligibility criteria they establish will be somewhat loose. Are the laws there to promote loving relationships? Well, the law doesn’t require that the partners in a marriage love each other. Do they promote the formation of stable households where the partners look out for each other? Well, not every married couple lives together, and it is an “obvious social reality” that not every cohabiting couple is married.

Kramer’s next twist was to hold that the marriage laws are a form of sex discrimination: Joe can marry Peggy but Susan can’t. Judges get to subject laws that discriminate on the basis of sex to stricter scrutiny than other laws. So even if Kramer were to concede that there might be some rational basis for traditional marriage laws—which he does not—he could still strike them down.

He also held that the various measures California legislators had taken to help same-sex couples amounted to a “separate but equal” status for homosexuals. If the state had

no objection to recognizing their relationships, it could have no reason for not according them the full status of marriage. In other words: Californians’ attempt to strike a compromise became a reason to undo the compromise.

So opponents of same-sex marriage are on (further) notice: Compromise is folly. The judges imposing same-sex marriage are not interested in democratic give and take. It’s not just that Kramer, and the Massachusetts judges, overturned the laws passed by the people and their elected representatives. They also wrote over the constitutions the people of those states ratified. There is no plausible argument that any provision of either state’s constitution was originally understood to require same-sex marriage (or to enact a principle from which same-sex marriage could be directly derived). Nor has anyone even tried to argue as much.

If Kramer’s ruling stands, there is a good chance that Californians will not overturn it by amending the state constitution. (Governor Schwarzenegger has already said he will take the state’s judges’ word as final.) That is the most democratic legitimacy that can be expected in Massachusetts, too—and it is a far cry from the consent of the governed.

In California, as in Massachusetts, as in Hawaii and Vermont before them, what has been going on is not the evolution of the law to keep pace with changing views of marriage. What has occurred is a series of attempted judicial coups. The courts are putting in place the premises to strike down traditional marriage laws in state after state until the federal courts administer the coup de grâce. The only way to stop it is through a federal constitutional amendment.

*Opponents of
same-sex
marriage are on
(further) notice:
Compromise
is folly.*

PUBLIC POLICY II

Too Vigorously Assisted Suicide

OPPONENTS of assisted suicide have good reasons for persisting in efforts to save Terri Schiavo’s life. But supporters of assisted suicide may have even better ones.

The opponents have always asserted that allowing assisted suicide at all, while bad in itself, would lead to further evils: that we would start by allowing people who want to die to kill themselves, but end up allowing the killing of people who do not want to die. If we were supporters of assisted suicide, we would want to disprove these predictions. We would want to make sure that safeguards are in place to prevent such abuse.

The facts of this case suggest that existing safeguards are dangerously inadequate. The evidence that Mrs. Schiavo would have wanted the removal of the tube that brings her food and water appears sketchy at best. Even if we granted that she said both that she did not want to be on life support

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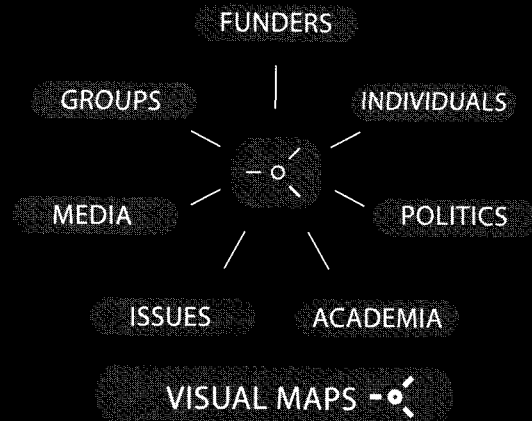
Who Controls the Democratic Party?

MOONBATCENTRAL

CU Professor Who Suggested 9/11
Attacks Were Justified Stirs Protest

A University of Colorado professor who
compared the victims of the Sept. 11 attacks
on the World Trade Center to Nazis has
ignited protests on a college campus where

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THE WEEK...

and that she would not want to be in a coma, it would not establish that she would not even want food and water when she is not in a coma.

Terri Schiavo has had no MRI or PET scan. Only a CT scan has led some neurologists to conclude that her cerebral cortex has liquefied; other neurologists dispute the possibility of reliably making that inference from CT scans. Many of the initial determinations of fact under Judge Greer relied on the testimony of Dr. Ronald Cranford. He is certainly a medical expert; but he is also a right-to-die zealot who advocates the removal of feeding tubes for patients with Alzheimer's dementia.

While several courts have been involved in litigation surrounding the case, the other courts have deferred to Judge Greer's questionable factual findings. The legal conclusions built on those factual findings do not inspire great confidence, either. It is hard to see how Mrs. Schiavo could be found to be in a "persistent vegetative state" when Florida law defines that term as including "the absence of voluntary action or cognitive behavior of any kind." (Some of the doctors the judge consulted did not believe that she was in a persistent vegetative state.)

The dispute between Mrs. Schiavo's husband, who wants her to die, and her parents and siblings, who want to keep her alive, has perhaps inevitably led to ugly allegations all around. Some of those who have fought to keep Mrs. Schiavo alive, including some congressmen, have speculated rather too freely about Mr. Schiavo's perfidy. But it is not necessary to believe the worst about him to think that it is madness to accept his word about his wife's wishes. He has fathered two children with another woman, to whom he has gotten engaged. It is not necessary to judge that behavior harshly to think that his desire to move on, however understandable, compromises his ability to represent his wife fairly.

Republicans and Democrats in Congress concluded that the situation required their intervention. After some embarrassingly uncoordinated attempts to pass a bill, a House committee issued a subpoena that would have had the effect of keeping Mrs. Schiavo's tube from being disconnected (and could, in theory, have led to a clarification of some of the factual disputes in the case). Whatever one thinks of the merits of that use of the subpoena power, it seems remark-

ably highhanded of Judge Greer to flout it.

Congressional subpoenas have not heretofore been considered subject to the review of state courts—a point that was lost on all the commentators who confidently opined that it was the congressmen who were threatening the separation of powers.

Next, Congress—having come back into session on an emergency basis—passed a law authorizing a federal court to review whether Mrs. Schiavo's constitutional rights were being violated. Opponents of the bill were put in an impossible argumentative position. On one hand, they had to believe that courts never simply make up the law as they go along: Judge Greer was, for their purposes, infallible. But then what was the harm of a review by a federal court? If a constitutional claim existed, they could hardly oppose its enforcement; and if one did not, the federal court would have to be trusted not to recognize one.

So opponents of the bill were left with various complaints of hypocrisy. The conservatives who wanted to save Mrs. Schiavo were said to be trampling on their traditional beliefs in federalism and the sanctity of marriage. The complaint about federalism would have more force if we had reason to think that the people of Florida, acting through their legislature, had prospectively blessed the decisions of Judge Greer. But Judge Greer has twisted the state's law; and the legislature has enacted a law designed to save Mrs. Schiavo's life, which the state's courts set aside. The sanctity of marriage, meanwhile, has never been held to be so absolute that authorities could not take action to prevent someone from killing a spouse.

It is hard, again, to believe that most citizens who approve of assisted suicide meant to create laws that would allow it in a case of this type. We applaud Congress for having taken corrective action. We hope that federal judges will follow the law it passed rather than emulate Judge Greer's willfulness—and that this case brings attention to the cavalier manner in which the law too often allows the killing of the sick.

The sanctity of marriage has never been held to be so absolute that authorities could not take action to prevent someone from killing a spouse.

PUBLIC POLICY III

Muscleheaded

AT times, it was hard to know who should have been more embarrassed by the House Government Reform Committee hearings on steroid abuse in baseball—the congressmen or the players. The hearings were the worst sort of congressional grandstanding. They came after the horse had left the barn and the barn door had been closed, since the steroid scandal had been building for years and now has finally been dealt with by baseball in the form of a stricter (if still imperfect) testing policy.

Committee chairman Tom Davis and his scold-in-arms Henry Waxman maintained that forcing the players to testify demonstrated to the nation's kids that they shouldn't use performance-enhancing drugs. But congressional hearings are

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not for educating "the children" outside of any possible legislative purpose.

That said, the hearings couldn't have happened to a nicer sport. Nearly everyone in baseball was perfectly happy to look the other way for a decade as impossibly muscled players turned in prodigious performances, and even formerly pedestrian outfielders mysteriously had 50-home-run seasons. If baseball had had a stronger commissioner on the model of Judge Kenesaw Mountain Landis—brought on to clean up after the Black Sox scandal—perhaps this travesty never would have occurred. Instead, baseball is led by Bud Selig, who was predictably unimpressive before the committee. The players' union got its way all those years when it

insisted on no testing or, failing that, a laughably limited testing policy that carried no consequence if a player was caught drugging.

Former home-run "champion" Mark McGwire is a prime product of this chapter in baseball history. His name will be permanently affixed with an asterisk in everyone's mind, now that he has pointedly refused to deny under oath using steroids. He may become the most statistically credentialed player since Pete Rose to be denied entrance to the Hall of Fame—at least until the suspiciously bulky and over-performing Barry Bonds retires. If we would have preferred that the hearings not be held at all, perhaps they were the appropriate forum for capping the malodorous steroids era—distasteful all around.

notes & asides

■ Dear Mr. Buckley: I have thoroughly enjoyed reading your latest book, *Miles Gone By*, which I found to be very informative, interesting, and entertaining, with your usual impeccable writing skills and gift of concinnity, combining intellectual cogency, humor, and wit, a charming characteristic that attracted my attention, over the years, causing me to buy and read all your books.

There is, however, one word (*encephalophonic*) that you use in *Miles* on page 74 ("... from the encephalophonic Mr. Rodell...") that I would like for you, if you will be kind enough, to define for me. You have also used this same word in some of your other books. I have consulted, to no avail, the following sources: the *American Heritage Dictionary* (fourth edition), *Webster's New World College Dictionary* (fourth edition), and the *New Shorter Oxford English Dictionary* (1993).

With warmest regards,
J. Gilberto Quezada
San Antonio, Tex.

Dear Mr. Quezada: I'm afraid I have to let you down. I can't find the word in any dictionary. It was first used derisively about me in a book review which bemoaned that I had at my disposal simultaneously books, a magazine, a newspaper column, and a television program. Thus I was "encephalophonically" besieging the literate world. As you point out, I use the word myself, to suggest a sur-

rounding besiegement of the brain.

Cordially, WFB

■ Dear Mr. Buckley: I was delighted by *Miles Gone By*. I split the fun into three days at 190 pages per. A thoroughly enjoyable respite from my usual routine.

Your story of your childhood and family brought to mind that you were blessed with good fortune and you convey an "attitude of gratitude" throughout, which I am sure is the reason your life has continued to be so rewarding.

I was sad to read that you had sold your sailboat but I hope this does not mean you will never sail again. *Miles Gone By* surely cannot mean that you are "retiring from life"—I am in hopes that you have many miles ahead. For the last 14-plus years I have listened to the weekly broadcasts of piano jazz with Marian McPartland. She was playing clubs when you were about 13 and she sounds as good today (if not better) as she did in her early career. God willing you have many miles yet to cover.

Your friend Whittaker Chambers told you that he was struggling with life until he had an awakening where he "touched bottom and was rising again to the surface." This is similar to AA-speak—hitting bottom and being willing to accept life on life's terms which can evolve into a spiritual awakening. He could not "fix" his existence and realized that he was the problem. If

you have the chance to read *Anonymous Disciple* by Gerard E. Goggins I believe you will enjoy it. A Jesuit priest struggling with life and booze. God does work miracles.

Be well,
Charles Ettien
U.S. Penitentiary
Lompoc, Calif.

Dear Charles: Thanks for your warm letter about my book—and indeed about life. No, I'll sail here and there in the future, at least for a while. With all best wishes, and let me know when you spring free.

Yours faithfully, WFB

■ Dear Mr. Buckley: I need your help on a poser I have had for about 40 years. I believe it began in a business-law class at Marquette University:

There is a frog on a railroad track over a river. A train comes along and scares the frog and he jumps. Where is the frog when he jumps?

Not on the track—that's before he jumped.

Not in the air—that's after he jumped.

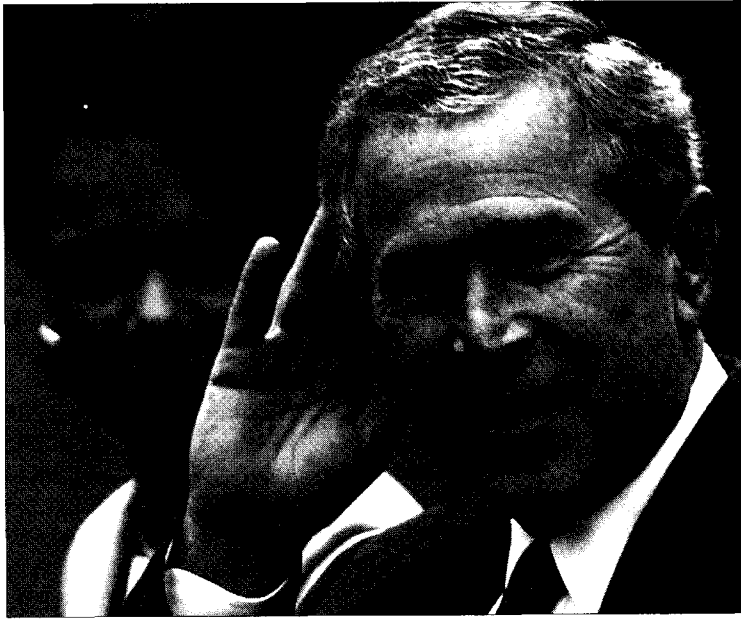
I am driving my grandchildren crazy over this. I think I have the answer but I cannot express it succinctly. Help please!

Yours ever so gratefully,
Stephen C. McLain
Mukwonago, Wisc.

Dear Mr. McLain: Tell your grandchildren the frog is in medias res, and they'll go happily to sleep.

Cordially,
—WFB





■ AT WAR ■

Come the Revisionists

Self-flattering, self-deluded—almost desperate

VICTOR DAVIS HANSON

WILL the second Bush administration be less bellicose, more multilateral? That's what some of the president's critics are suggesting, after his much-publicized visit to Europe. Joseph S. Nye, author of *Soft Power*, thought he saw in Bush a new convert who had belatedly, but wisely, forsaken flawed concepts such as unilateralism and preemption and adopted instead the tenets of Nye's own volume. "The most striking thing at this point in Bush's second term," Nye recently intoned, "is his belated discovery of the importance of diplomacy and soft power."

Clinton NSC veteran Nancy Soderberg recently expressed worry that Bush's policies—often the opposite of those of the Clinton administration and thus antithetical also to the precepts of Soderberg's just-

released but ill-timed *The Superpower Myth*—well, might just work. "It's scary for Democrats," she stammered on Jon Stewart's *Daily Show*, "I have to say. . . . Well, there's still Iran and North Korea, don't forget. There's still hope for the rest of us. . . . There's always hope that this might not work." But later, when asked by Bill O'Reilly to explain her curious remarks, she echoed this strange new theme that Bush was finally getting it right: "I think there's a second-term conversion going on with the Bush administration. I'd like to think it's because they read my book. I think it has more to do with the fact that reality has seeped in. They're starting to talk well of the French."

At first glance, this is all counterintuitive. Almost immediately after the inauguration, President Bush made a number of appointments that reflected confidence in the course of his prior four years. John Bolton, the hawk on North Korea, was named ambassador to the U.N. This was not a gesture calculated to show that a

contrite United States was now seeking accommodation with the U.N. hierarchy; Bolton is expected, rather, to deploy his tough talk and iron spine to shake up a corrupt institution reeling from scandals. Nor was Paul Wolfowitz relegated to the World Bank as punishment for his neo-Wilsonian stance in the Middle East: He was elevated to the institution's presidency precisely to inject that same sort of democratic idealism into determining the extension or withdrawal of international loans.

Similarly, Condoleezza Rice is no ambivalent Colin Powell type; she is a powerful spokesman for the president's own views that place democracy and idealism in the forefront of U.S. foreign policy. She has already expressed disagreement with the Europeans' desire to sell arms to Communist China; canceled a meeting with Egyptian president Hosni Mubarak, to remind him to release dissidents and hold multiparty elections; skipped a visit to Canada, on news that the government there had backed out of the U.S.-led missile-defense project; and recalled the U.S. ambassador from Damascus, in displeasure at Syria's occupation of Lebanon. The U.N., EU, NATO, and the Democratic leadership played little role in the flurry of her first few weeks in her new post.

Indeed, rather than following the multilateral approach called for by John Kerry in the recent campaign, Secretary Rice seemed to be seeking strong new *bilateral* ties with India, Taiwan, and Japan. They all appreciate American idealism and power, and the willingness of the U.S. to open its economy, and to warn a newly aggressive China to tread carefully around the region's democracies.

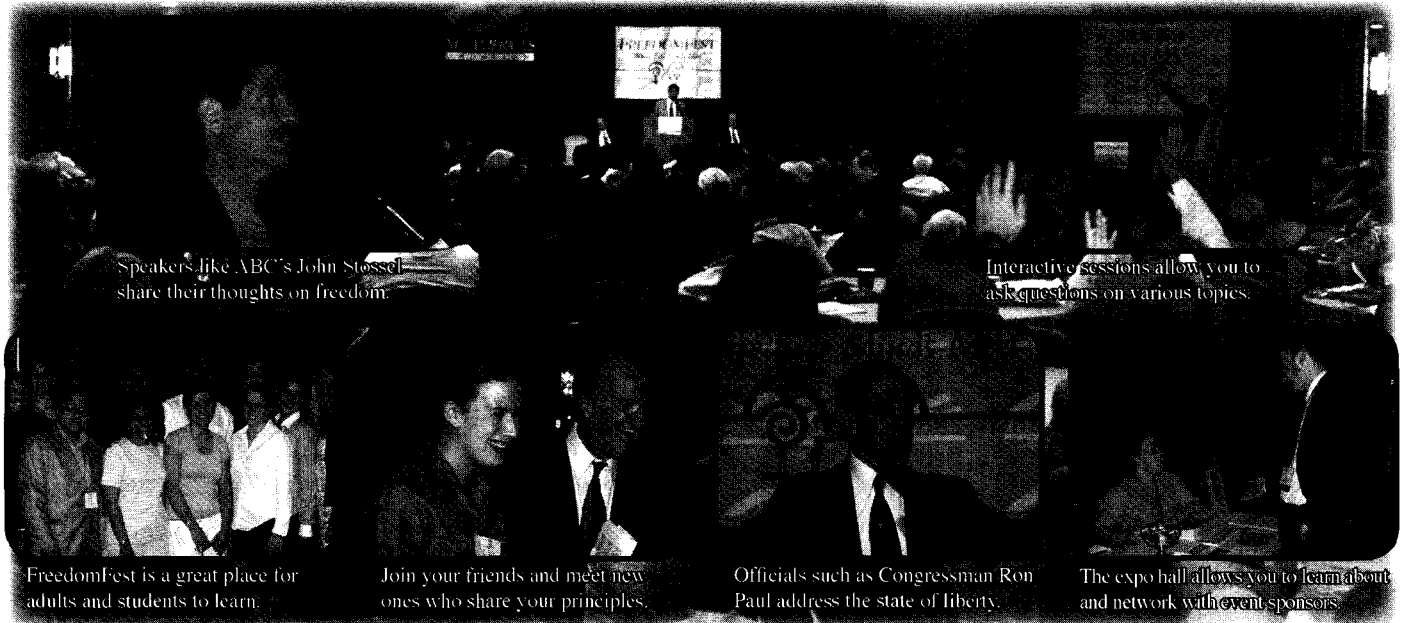
Given this reality, what is behind the new revisionist notion that the second, softer Bush administration is a corrective to the harder first? The most obvious explanation is simply the angst of those out of power. Liberals and Democrats now write "should have done it my way" books in lieu of wielding real influence. They witness the world now operating according to principles that leave them privately aghast. What do they make of the president's controversial isolation of Arafat—now that it has, indirectly, led to immediate West Bank elections upon Arafat's death? What explains the conversion of Lebanese Druze leader Walid

PAUL J. RICHARDS/AFP

Mr. Hanson is a senior fellow at the Hoover Institution, and the author of the forthcoming *A War Like No Other: How the Athenians and Spartans Fought the Peloponnesian War* (Random House).

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Jumblatt, who cut his teeth damning the U.S. but now confesses, "It's strange for me to say it, but this process of change has started because of the American invasion of Iraq. I was cynical about Iraq. But when I saw the Iraqi people voting three weeks ago, eight million of them, it was the start of a new Arab world"? After the democratic agitation sweeping the Middle East, following the successful elections in Afghanistan and Iraq, even the most ardent Bush-haters might admit that the static world of Oslo, U.N. embargos, and no-fly zones had more in it of appeasement than of principle. The now-famous *New York Times* editorial of March 1 pointed out that "the Bush administration is entitled to claim a healthy share of the credit for many of these advances."

American idealism, backed with force and conviction—not soft power, multilateralism, Europeans, or the U.N.—ended the rule of the Taliban, and of Saddam Hussein. The often-lonely vision of George W. Bush ushered in elected governments in their places, and inspired the disenfranchised elsewhere to begin agitating for change. Those in Lebanon know that it was an American president, not Kofi Annan or Gerhard Schroeder, who both shares their aspirations and is willing to stand up to their oppressors.

Among the critics of the first George W. Bush administration—and especially among the architects of the feeble U.S. response to terrorism in the 1990s—the present reality must be either denied or spun. The former is impossible when Arab radicals themselves credit Bush with being a catalyst for reform. That leaves the latter alternative of spin as the only recourse: Bush erred by going alone and is now changing to our point of view and thus basking in the world's appreciation.

The second reason we are witnessing these false claims of a new direction in foreign policy is simply the changing tides of war, and the facts on the ground in the Middle East. The turn to offense after 9/11, the removal of the Taliban and Saddam Hussein, coupled with reconstruction and preparation for the establishment of democracy, occupied almost all of the

attention of the Bush-administration years between 9/11 and the second inauguration.

But now, both tyrannies are gone. Counter-democratic forces are waning, and the governments of Afghanistan and Iraq are gaining strength. While hyper-critics talked of "taking our eye off bin Laden," and listened to the pessimism of Richard Clarke, Michael ("Anonymous") Scheuer, or Joe Wilson, the U.S. military, unheralded, was systematically routing al-Qaeda from Afghanistan, retaking Fallujah, and killing thousands of insurgents in Iraq. Those unsung American heroes empowered U.S. diplomats with new leverage against enemies (such as Syria and Iran) and erstwhile friends (such as Saudi Arabia and Egypt). If insurrectionists in Iraq once emboldened reproachful Europeans, successful voting there has now embarrassed them.

**Anybody
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and high
noon has
passed.**

So there have been ripples from such American resolve that remind us that force need not be perpetually applied, once the credibility of one's willingness to resort to it has been unambiguously reestablished. In short, George W. Bush can play good cop/bad cop with the Europeans in Iran, invite multilateral parties to adjudicate the crisis in North Korea, and work with France in Lebanon, because no one doubts that the alternative could well be worse: American unilateral action to

disarm rogue nuclear states or stop Syria's promotion of terrorist enclaves in neighboring countries.

That very lack of credibility was the tragedy of Bill Clinton's foreign policy of warmed-over Carterism, under which we waited nearly a decade to remove Milo-sevic, withdrew in defeat from Somalia, gave up a chance to have bin Laden extradited—and treated terrorism as essentially a criminal-justice matter, with military actions amounting to a few cruise missiles and stern-sounding press conferences. Perhaps Europeans, Arab dictators, Yasser Arafat, and Kofi Annan all liked Bill Clinton far more than they do George W. Bush—but whether they respected, feared, or trusted him more is another matter altogether.

We went through a similar cycle of eas-

ily lost and then laboriously restored deterrence with the successive administrations of Jimmy Carter and Ronald Reagan—when after the Communist expansion in Afghanistan and Central America, genocide in Cambodia, and hostage-taking in Iran, the U.S., under a demonized but intrepid president, recovered to unravel the Soviet Union.

This characteristic liberal laxity was chided by Leslie Gelb, no fan of George W. Bush, in a recent *Wall Street Journal* op-ed. Gelb's lecture to liberals—who, he wrote, "portray the rest of the world as just a bunch of misunderstood bunny-rabbits"—began with, "The Democrats need a Dick Cheney, especially on foreign policy." Gelb remonstrated that "Cheney sees the dark side of the world, a reality that largely eludes Democrats but not most Americans. He understands power and knows how to wield it, as opposed to the soft-power prose of intellectual Democrats."

The "soft power" advisers to John Kerry in the last election and the craftsmen of Democratic foreign policy now play a similar role to the administration that Europe enjoys with the U.S. itself. Like the Europeans, the soft-power advocates can talk all they want about nice-guy diplomacy and the need for multilateral institutions, but they will have to realize that their approach enjoys such validity as it does only because the Bush administration has done the hard part: braving the melee when corpses piled up and thugs were on the rampage.

Sadly, too many leftists still don't have a clue what brought this all about. Consequently, they are peddling this bizarre notion that what led us into the mess culminating in 9/11 is what will now save us. One would think that they had been comatose the last three years, if they had not been so vocal in opposing what actually worked.

Anybody can appear kinder and gentler when the bad guys have been taken out and high noon has passed. Only then can the cowering townsfolk pour back onto Main Street to slap the sheriff on the back, applauding that his smoking gun is now safely and properly holstered—and all those nasty outlaw corpses are conveniently out of sight at the undertaker's.

Brace yourself: They are all coming out right now.

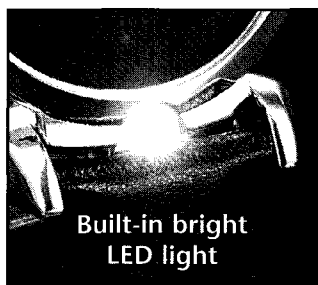
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■ THE WORLD

The World's Banker

Paul Wolfowitz is an inspired choice

DAVID FRUM

SAY this for President Bush: The man has a sense of style. Critic after critic howls for the heads of the architects of the Iraq war, and above all for the head of the man the European media call "Paul Vulfovitz," as though he were a villain in a John Buchan novel. So what does the president do? He names this Vulfovitz to run the World Bank—a job that the world's do-gooders and bleeding hearts have long regarded as their exclusive domain. Take that!

And just to add extra torque to the nomination, there is this irony: Even the president's detractors have been constrained to admit that Wolfowitz is likely to prove an excellent choice—maybe more excellent than is entirely comfortable either for the bank, for its clients in the underdeveloped world, or for its constituencies in the advanced industrial democracies.

The foreign-aid industry has long been under fire from the free-market Right. The great Hungarian-born economist Peter Bauer published his searing essay "Dissent on Development" all the way back in 1971. Bauer's work was bitterly controversial at the time, but in the three and a half decades since, it has evolved into something close to orthodoxy: Bauer himself ended his days as a member of the British House of Lords.

In the 1990s, the old attack from the Right was reinforced by a new challenge from the anti-globalist Left. This new wave of protesters objected to the World

Bank's record of supporting dams, mines, highways, and airports rather than the traditional life of primitive villages—and to its even more alarming habit of expecting its loans to be repaid. In the face of this unexpected onslaught, the bank's image-conscious chairman James Wolfensohn hastily retreated. He gave speeches declaring that he shared the protesters' goals. He promised to consult environmental activists before funding future dams. He declared that poverty reduction would replace traditional big-project development as the bank's main priority.

These lofty words did not, alas, translate into actual progress against poverty. In a fascinating and important new book about Wolfensohn, *The World's Banker*, Sebastian Mallaby of the *Washington Post* observes that the condition of the poor in much of the world actually deteriorated in the 1990s. Between 1987 and 1998, the number of people living on less than \$1 per day increased by 100 million. The growing population of desperately disadvantaged was obscured, however, by a counterbalancing statistic: Over those same years, the number of Chinese living on less than \$1 per day declined by about 100 million. Net-net, as the bankers say, there was global progress—but only because one smashing success story could be set against disappointment throughout much of the rest of the poor world.

In the 1960s and 1970s, the World Bank justified its role by arguing that only a subsidized multinational lender like the bank could be counted on to fund essential projects in the developing world. The experience of the 1990s discredited that old claim. In the post-1989 globalization boom, capital flooded into Latin America and East Asia. And despite shocks, disappointments, and crises, the money keeps coming: Developing countries attracted \$255 billion in foreign direct investment in 2004, 42 percent of all foreign direct investment that year—the highest level since 1994.

When the developing world offers opportunities, entrepreneurs and investors will eagerly seize them. The trouble of course is that much of the developing world does *not* offer opportunities. And the reason for that glaring lack is politics, bad politics: war, civil strife,

corruption, oppression, and lawless government. Why is Zimbabwe plunging into famine? Not for lack of fertile land or willing workers—but because of a greedy and brutal dictator, Robert Mugabe. Variants of this story can be told from West Africa to Andean South America—and throughout too much of the Islamic world, from Mali to Pakistan.

If Paul Wolfowitz is known for any one thing, it is his insistence that Middle Eastern terrorism can be traced back to Middle Eastern tyranny—that the region cannot know security until it enjoys freedom. This insight has, if possible, even more relevance to the problems of global poverty and Third World development.

The World Bank has in the past eschewed such political thinking. It is after all an institution owned and controlled by governments. The United States is the bank's single biggest funder and accordingly holds the most votes—about 16.4 percent—but bank management cannot easily avoid responding to other large shareholders such as France (4.3 percent) or China, Russia, and Saudi Arabia (2.78 percent each). Any suggestion that tyranny is an important cause of poverty can be counted on to offend large voting blocs.

No wonder then that the Wolfowitz nomination has stirred the pot. But isn't it long past time that this particular pot be stirred? Fifty-plus years since the World Bank went into business, there is precious little verifiable evidence that it has as yet done its supposed beneficiaries any real or enduring good—and considerable evidence that its willingness to underwrite projects that flunk the market test has done real and enduring harm. If the day should ever come, though, when the bank reinvents itself as a force for clean and representative government in the Third World; if it could offer incentives to encourage peace and stability in conflict-wracked places like Sierra Leone or Iraq; if it could be a force for democracy-led development: then its long disappointing record would at last change for the better. Paul Wolfowitz is heart and soul committed to this task—and so is the president who has again defied international complacency to give Wolfowitz his backing. It's a great choice by a gutsy president who stands by friends—and has the right enemies.

NR

Mr. Frum is the author, most recently, of *An End to Evil: How to Win the War on Terror* (with Richard Perle) and *The Right Man: The Surprise Presidency of George W. Bush*.

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abilities as a teacher and his accomplishments as a scholar. Professor Hammond is Associate Professor of History and Head of the History Department at New Mexico State University, where he has taught since receiving his doctorate in History and East Asian Languages from Harvard University in 1994. He studied and worked in Beijing from 1982-1987 and remains a frequent visitor. Professor Hammond specializes in the cultural and intellectual history of China in the late imperial era.

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■ PUBLIC POLICY

Our Enemy, The States

The federal Republicans are okay, but the governors need to get with it

RAMESH PONNURU

ON November 5, 1990, the first President Bush signed a tax increase into law. The event is remembered as a betrayal of Bush's campaign promise not to raise taxes, and as the mistake that, in the opinion of many, cost him reelection two years later. But the date is important in the modern history of the Republican party for another reason. Since that time, no Republican in Washington, D.C., has voted for a broad-based tax increase.

We tend to think of the Republican party as a strongly anti-tax party, but that identity is a fairly recent development. It is also a work still in progress. Anti-tax activists took over the Republican party from the top layer down, in the same order that conservatives generally did. Conservatives captured the Republican presidential primaries first, then became a majority of House Republicans, then of Senate Republicans, and then started making inroads in the states. Grover Norquist of Americans for Tax Reform has followed the same sequence in promoting his "taxpayer protection pledge," which asks candidates to promise not to raise marginal tax rates on income.

Norquist started circulating the pledge in 1986. Two years later, George Bush pulled ahead of Bob Dole in the presidential primaries by taking the pledge and bashing Dole for refraining. Every Republican presidential nominee since then, including Dole himself in 1996, has taken the pledge. Congressional Republicans have fallen into line. Not one of them, in either chamber, voted for Bill Clinton's 1993 tax increases. In the current Congress, 46 senators and 222 House members are pledge-takers.

That's a majority of the House.

Norquist's group began working on governors and state legislators a decade after the pledge came to D.C. That's one reason the governors have lagged behind the federal-level Republicans in embracing the party's new anti-tax orthodoxy. (It should be noted that cause and effect are entangled here: Norquist's campaign began in D.C. because the party there was receptive to it.)

It is in that context—of a gradual movement toward opposition to tax increases, with the governors coming last—that some recent tax-hiking moves by Republican governors should be seen. In recent months, Indiana governor Mitch Daniels has proposed a "temporary" tax increase on high earners to balance the state's budget. Colorado governor Bill Owens has proposed letting the state government keep part of a scheduled tax refund. Consequently, the *Washington Post's* Jim VandeHei sees a "pragmatic . . . trend playing out around the country," while in the *Washington Monthly* Daniel Franklin and A. G. Newmyer III have asked gleefully, "Is Grover Over?"

The short answer is no, he isn't. Neither is the broader anti-tax movement of which he is a part.

It is true that several Republican governors and state legislators have proposed tax increases. It's not just Owens and Daniels. Gov. Bob Riley of Alabama stumped for a \$1.2 billion tax hike. Next door, Georgia governor Sonny Perdue made a range of tax increases his first order of business after Republicans swept the state elections in 2002. Bob Taft of Ohio has raised sales taxes and business taxes. Kenny Guinn of Nevada, Mike Huckabee of Arkansas, Dirk Kempthorne of Idaho, and George Pataki of New York have also pushed for tax increases. And several Republican legislators in Virginia helped a Democratic governor raise taxes.

But there are enough "buts" here to make the picture look much happier for anti-taxers. The first qualification is that the governors are not getting all their tax increases enacted. Governor Riley's tax

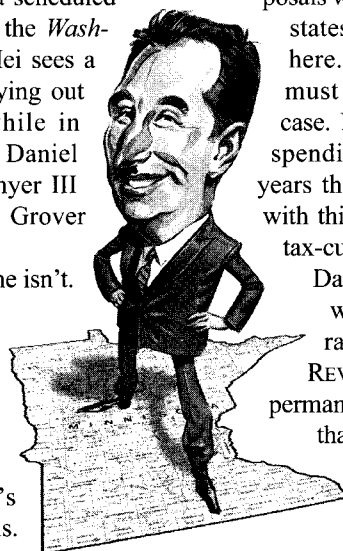
increases were put before the voters, who soundly rejected them. What's more, the state Republican party openly fought the governor over the issue. Governor Perdue had to settle for an increase in the cigarette tax because his fellow Republicans balked at his other tax increases. Governor Daniels is encountering Republican (and some Democratic) resistance in Indiana, too. The Republican-controlled house of representatives there has passed a budget that does not include a tax increase.

It's also notable that most of the tax-hikers are leaving income taxes alone. For the most part, they have been raising taxes on cigarettes and, to a lesser extent, alcohol. This may displease most conservatives, but it doesn't outrage them. Most of the tax increases have not been large. Owens and Riley, whose tax-increase proposals were large in relation to their states' budgets, are exceptions here. And even that statement must be qualified in Owens's case. He had reduced taxes (and spending) so much in previous years that his overall record, even with this proposal, is that of a big tax-cutter.

Daniels's tax increase, meanwhile, is meant to be temporary, and he tells NATIONAL REVIEW that he is resisting any permanent measures. He also says that he is using spending cuts to get 80 percent of the way to a balanced budget, and the tax increase only for the remaining 20 percent. By the end of his

first term, he promises, his conservative critics will be back in his camp.

A comparison of the last two recessions and their budgetary aftermaths shows a trend away from tax increases—in both parties. In the early 1990s, Republican Pete Wilson raised taxes in California. Arnold Schwarzenegger is refusing to do that today. Pataki's tax increases are quite small compared to the ones Democrat Mario Cuomo imposed on New York. New Jersey has seen the largest tax increases in the country in recent years. But even those tax increases, imposed under Democrat Jim McGreevey, were smaller than the ones under Democrat Jim Florio in the 1990s. The states are relying much



Gov. Tim Pawlenty—not a taxer

more than in the past on spending cuts. In a Cato Institute report on the governors' fiscal records, Stephen Moore and Stephen Slivinski calculate that 2003 was the first time in two decades that state expenditures actually fell in real terms.

Michael New, a political scientist at the University of Alabama, finds that during the early 1990s states with Republican governors were more likely to raise taxes than states with Democratic governors—but that in recent years, the situation has reversed.

Republicans Rick Perry of Texas and Tim Pawlenty of Minnesota have gotten through their states' budget woes without tax increases. Other governors are cutting taxes, or trying to. Mitt Romney and Mark Sanford, the Republican governors of Massachusetts and South Carolina, respectively, have proposed tax cuts. Republicans Jeb Bush of Florida and Judy Martz of Montana have actually cut taxes. Almost all the Republican governors with national ambitions are staying away from tax increases. (So are some ambitious

Democrats. Phil Bredesen of Tennessee isn't raising taxes, and Bill Richardson of New Mexico is cutting them.) Moore and Slivinski report that among the Republican governors, the most recently elected ones are the most tax-averse.

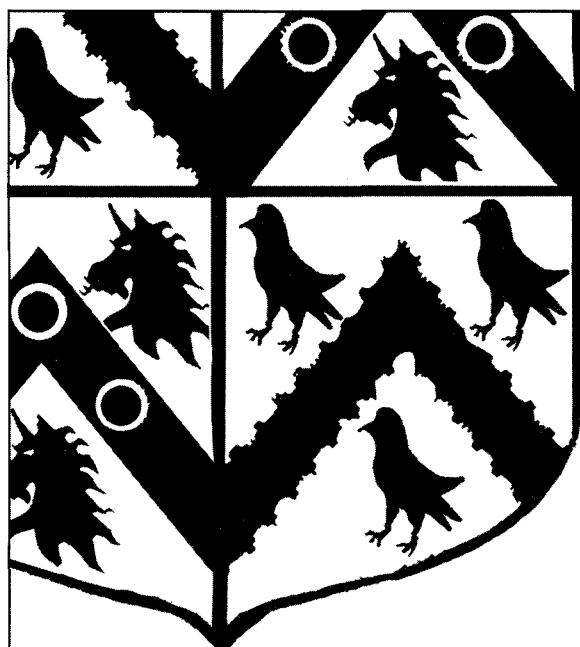
Nor have anti-taxers lost their political edge. Nebraska legislator Curt Bromm was the Republican establishment's candidate for a seat in the U.S. House last year—but voters rejected him in the primary because of his pro-tax record. A Republican state legislator in Georgia, Joey Brush, lost his seat in a primary after voting for Gov. Perdue's taxes. There haven't been elections since Virginia's tax hike. But already one tax-hiking Republican state legislator has lost a primary election to move up to the U.S. House. Another such legislator first drew a primary challenger and then decided not to run for reelection.

Republican opposition to taxes got Schwarzenegger elected. Democratic governor Gray Davis had angered Californians by raising car taxes. He

wanted to raise taxes still more to close a budget deficit. But he needed Republicans in the legislature to go along. When they didn't, it became impossible for Davis to balance the budget on Democratic terms. The resulting mess got Davis thrown out of office in a recall election.

When Republican governors propose higher taxes, it is clearly a setback for Norquist's campaign. But Norquist is winning the larger battle. The Republican party is getting more anti-tax, not less. And so is American politics. Governor Daniels notes that Ronald Reagan raised taxes in his first year as governor of California. Bill Owens could point to various instances in which President Reagan took back some of his tax cuts. Norquist argues, in effect, that these excuses miss the consequences of Reagan's success: Reagan pulled American politics far enough to the right that his heirs do not have to repeat his early compromises.

The cloud on Norquist's horizon is the growth of entitlements. At the federal



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level, Social Security could cause Republicans to break their tax pledges. The 12.4 percent tax to support Social Security currently applies only to the first \$90,000 of wages. Some Republicans, led by Sen. Lindsey Graham of South Carolina, a pledge-signer, say that they are willing to lift that cap in order to get Democrats to agree to a deal to reform the program.

At the state level, the problem is Medicaid. It's the fastest-growing element in state budgets. While governors like to claim that "unfunded mandates" from the federal government are to blame—and David Broder is perennially happy to indulge the complaint in his column—the truth is closer to the reverse. Most Medicaid spending isn't mandated by the federal government. The states are deciding to offer more services to more people through Medicaid because the federal government picks up half or more of the tab. So when times are good and revenues are growing, states that expand Medicaid can offer their citizens two dollars of benefits for every dollar of taxes they have to impose. When times turn bad, every dollar of benefit cuts gets them only 50 cents in savings.

This perverse structure has several negative effects. One is that both spending and taxes are higher than they would be if either the federal government or the states had full responsibility for the program. Another is that the states hit periodic budget crises, which generate demands for federal bailouts and state-level tax increases. What's worse is that the system is so perverse that nobody has an incentive to fix it. The governors don't want to give up the power to hand out benefits, and they don't want to assume the responsibility of paying for them all.

In a way, it's an entitlement that has forced Bill Owens's hand. Colorado operates under a voter-approved amendment that requires revenues to grow no faster than prices and population. Another amendment, approved later, requires education spending to rise faster than that. This is the downside of plebiscitary democracy: The voters have mandated policies that are incompatible in the long run. Something has to give.

If Norquist wants to keep his string going, maybe he should start circulating an entitlement-reform pledge. **NR**

■ THE WHITE HOUSE

Faux, Maybe; Novel, No

The Bush administration is catching hell for its 'video news releases'

BYRON YORK

AT President Bush's March 16 news conference, a reporter noted that the White House has banned paying journalists to promote the Bush agenda—a reference to the Armstrong Williams scandal—but then asked, "Your administration continues to make use of video news releases, which are prepackaged news stories sent to television stations, fully aware that some or many of these stations will air them without any disclaimer that they are produced by the government. . . . Does it raise ethical questions about the use of government money?"

Bush answered by citing a Justice Department opinion that says producing video news releases, or VNRs, is legal, "so long as they're based upon facts, not advocacy." He said he expected departments to follow that ruling, adding that it would be a good thing if local television stations that used such stories would tell viewers the source of the material.

That the issue of VNRs came up in a news conference dominated by the war in Iraq, the nuclear ambitions of Iran, and the Social Security battle is a measure of just how strained relations have become between the administration and some members of the press corps. Although it appears to be a minor contretemps, the issue of VNRs has actually become something of a cause among the president's critics.

"The White House isn't backing off its plan to replace real news with faux news," *New York Times* columnist Maureen Dowd wrote on March 17. (Some of the president's adversaries have adopted the phrase "faux news"—they like it not only because of its obvious meaning but also because of its slightly less obvious play on

Fox News.) "Faux news is good news—to Bush," declared Salon's Eric Boehlert. "You can be sure that the administration's faux news will always be good news," chimed the *Times*'s Frank Rich.

The controversy began in March 2004, when the *Times* published a front-page story headlined "U.S. Videos, for TV News, Come Under Scrutiny." The article reported that "federal investigators"—the Government Accountability Office—were "scrutinizing television segments in which the Bush administration paid people to pose as journalists." The purpose of the video reports was to praise the new Medicare prescription-drug law, and they featured footage of President Bush "receiving a standing ovation from a crowd cheering" when he signed the law.

Furthermore, the *Times* reported, the segments were narrated by a woman posing as a reporter who concluded the story by saying, "In Washington, I'm Karen Ryan, reporting." In fact, the *Times* said, Ryan worked for a TV production company that had "hired her to read a script prepared by the government."

Although a spokesman for the Department of Health and Human Services explained to the paper that the use of VNRs was a "common, routine practice in government and the private sector," Democrats expressed shock and anger at the news. New Jersey Democratic senator Frank Lautenberg, for example, pronounced the practice "disturbing" and "a covert attempt to manipulate the press."

Many commentators agreed, their opinions perhaps best summarized by a *Cleveland Plain Dealer* editorial headlined, "Karen Ryan, you're a phony." Democrats demanded more investigation by the GAO, which ultimately concluded that the stories violated the law against government-funded propaganda. The problem with the reports, the GAO found, was that there was no disclaimer within the actual stories—even though, when the videos were sent to television outlets, there was a disclaimer immediately before and immediately after them indicating that they had been produced by the Department of Health and Human Services.

From there, the criticism mounted, resulting in the question at the president's recent news conference. But one aspect of the issue that has received little attention is the fact that VNRs have been used by the

government for decades, and that the most enthusiastic and sophisticated purveyor of VNRs prior to the current controversy was the Clinton administration, which produced releases that were identical in style to those produced by the Bush administration. On examining VNRs from both administrations, it appears there are only two differences. One, the Clinton VNRs were produced in a more openly politicized way. And two, when the Clinton administration distributed its reports, no one appeared to notice or be upset.

One very brief portion of the GAO's report noted that the Department of Health and Human Services had provided investigators with copies of Medicare VNRs produced by the department in 1999—during the Clinton years. Like the Bush VNRs, those videos carried a disclaimer before and after the report, but none inside the body of the piece. The stories were narrated by a woman who signed off with "Lovell Brigham, reporting."

As it turns out, Lovell Brigham was not a reporter. She was, in fact, a Clinton

appointee who worked in the public-relations department of HHS. In addition, the 1999 VNRs were produced in the midst of a fight between the Clinton administration and Congress over the issue of prescription drugs, whereas the Bush Medicare VNRs were produced after Congress passed the drug law and the president signed it.

But back then—and even now, when the news came out in the GAO report—there were no articles in the *Times*, no editorials that proclaimed, "Lovell Brigham, you're a phony." And there was no GAO investigation. Unlike today's Democrats, in the 1990s Republicans did not complain about the Clinton administration's practices; if they had, the VNRs would likely have been labeled propaganda. "These [stories] were not brought to our attention at that time," the GAO wrote in a footnote to its report. "Had we been aware of [them] . . . the principles discussed here would have been applicable."

So far, there hasn't been much discussion of the Clinton administration's use of the technique. Recently, the *Times* pub-

lished an extensive investigation into the Bush administration's use of VNRs. One sentence (out of a 5,600-word story) said "the practice, which also occurred in the Clinton administration, is continuing despite President Bush's recent call for a clearer demarcation between journalism and government publicity efforts." That "which also occurred in the Clinton administration" was the article's only reference to the Clinton years.

But Larry Moskowitz remembers them quite well. Moskowitz, a former United Press International reporter, runs Medialink, a company that produces a large number of VNRs for both government and private-sector clients. During the 1990s, Moskowitz says, the Clinton administration joined with makers of VNRs to produce an enormous number of stories that might now be referred to as "faux news." "These guys were the most active in the business," Moskowitz says, although it should be said that Moskowitz saw nothing wrong with that then, just as he sees nothing wrong with it now.

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His argument is that VNRs are never broadcast directly to viewers. Instead, they are sent to television-news organizations, which are free to use some portion of them, or all of them, or to throw them away. "Our view is as long as it is fully disclosed to the journalists that this is supplied by whoever is paying for it, and that that's clear and evident . . . then we believe our job is done," Moskowitz says. It's up to the broadcaster to tell viewers what they're seeing. Moskowitz also contends that, as far as VNRs are concerned, "there's no different notion or concept from the written press release. All it does is provide the video equivalent of the quote that you would get in a press release."

He has a point. To illustrate that with a completely random example, on March 17, the Treasury Department issued a press release, datelined Washington, D.C., that began, "New Department of the Treasury estimates released today show that over 105 million Americans will have a lighter tax bill thanks to the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003." The release quoted Treasury secretary John Snow as saying, "Tax relief has resulted in a growing economy that is producing jobs and creating a better standard of living for Americans."

There was a line above the story's headline that read FROM THE OFFICE OF PUBLIC AFFAIRS, but nowhere in the body of the story was there any information about the source of the information. A newspaper might have published the story, or used the quote from Snow, without disclosing where it had come from. Did that make the government guilty of dispensing propaganda? A better way of saying it would be that the government relies on journalists, print and TV, to disclose the sources of their information.

Of course, a perfectly reasonable argument could be made that there is no good reason for the government to spend taxpayer money on video news releases—or news releases in general. But there is no argument to be made that the Bush administration has somehow invented a new form of disinformation, or even that it is using VNRs any differently from its predecessor. The only difference seems to be that, unlike the Clinton administration, the Bush team is catching hell for it. **NR**

■ EUROPE

An Awful Familiarity

Bukovsky sees developing before him an 'EUSSR'

DAVID PRYCE-JONES

THE last building blocks of the European Union are being set in place, and a weird unfathomable process it is too. A dozen of the 25 countries involved are to hold referendums to ratify the continent-wide constitution already approved by their leaders; the others are ramming the issue through by executive or legislative means. The majority of European governments, in other words, including the all-important German government, have found some way of avoiding the test of public opinion in order to consummate the federal empire now in full view. Public opinion nevertheless compelled President Jacques Chirac to concede a referendum to be held on May 29. Polls show that rejection by the French of the constitution is possible, maybe probable, precipitating who knows what kind of a crisis.

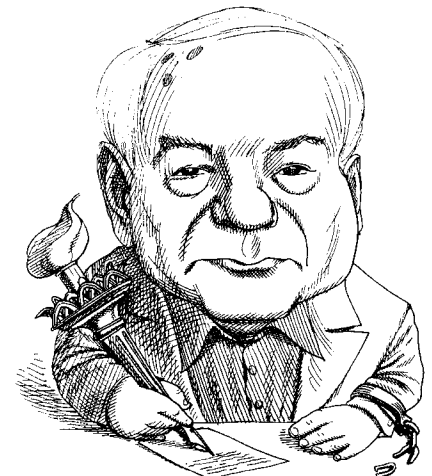
What's up? Why so much furtiveness? The most convincing answer comes in *The Great Deception*, a recent magisterial history of the EU, by Christopher Booker and Richard North. They show how decade after decade a small self-selected clique of politicians has worked single-mindedly to create a supranational Europe. In their own eyes, these politicians are visionaries, but they have always known that they could never carry voters with them, and therefore they had to conceal their goal: Deception was implicit, even structural to the project, according to Booker and North. The intention was to confront people with a fait accompli about which they could do nothing—and that is what today's constitution is designed to finalize irrevocably.

The Cold War years divided Europe into one half under Soviet rule, and the other under the protection of the United

States. The consistent ambition of the Soviets, and the many Communist parties subservient to them, and fellow-traveling Socialists as well, was to weaken the American presence, and if possible, remove it altogether from the continent. One way or another, the EU has taken up where the Soviets left off, and is proving more successful: Look at the doubtful future of NATO, the growing European army, the relocation of American troops and bases out of Germany, Franco-German efforts to stymie the United States over Iraq, the lifting of the arms embargo on China, uncritical sponsorship of the PLO, and much else besides.

Vladimir Bukovsky now charges into the debate. Presently 62, he was one of the most public and courageous of Soviet dissidents, spending twelve years in Gulag and treated as a madman in one of the psychiatric units specialized in breaking people like him. Exchanged for a Chilean Communist in 1976, he settled in England, at Cambridge, where he is a biologist and political writer. *To Build a Castle*, his memoir of the Gulag ordeal, is a classic. (To be personal, when I met him in 1981 he predicted that in ten years the Soviet Union would collapse. Which proved exactly so.) He would have made a democratic prime minister of Russia.

In the brief period when it was possible, Bukovsky researched in the Soviet archives, publishing books such as *Reckoning with Moscow* about the inner truths of the Soviet system. Now with a Russian co-author, Pavel Stroilov, he has written a pamphlet, "EUSSR: The Soviet Roots of European Integration" (Sovereignty



Vladimir Bukovsky

Publications, U.K.), and it is a fascinating gloss on the Booker-North thesis of the structural deception of the EU project.

Mikhail Gorbachev set up a foundation in Moscow to house the papers concerning his time in office, when the Communist party, the Soviet Union, and the Cold War too ended with a whimper and not the bang that had been generally expected. Studying these personal papers, Bukovsky and Stroilov are not surprised that the EU has taken up where the Soviet Union left off. On the contrary, they judge this to be the natural outcome of decades of socialism and fellow-traveling in Europe.

As befitted the despot in the Kremlin, Gorbachev was in the habit of receiving visitors from Western Europe, ministers and presidents in their own countries but all of them duly humble to be allowed to approach so close to absolute power. One and all, these visitors flattered Gorbachev. The Left everywhere, they agreed, was in crisis, because the experiment to build socialism had evidently failed and was in need of resuscitation.

"Progressive solutions in the social sphere must fit in the European framework," Alessandro Natta, the slippery general secretary of the Italian Communist party, told him in 1986. Gorbachev shared his ideas on how to proceed. One of his favorite slogans proclaimed a "Common European Home," and its grand purpose was to oust the United States from Europe and replace it with the Soviet Union. The task, as Gorbachev explained to Natta, was "to enrich the left movement, to get new allies." "The erosion of national frontiers—geographic, fiscal, economic," Natta replied, gave the Left "a chance of success."

Perhaps a Communist had to speak in this vein. But what is one to make of Francisco Fernández Ordóñez, then Spanish foreign minister and a Socialist, when he tells Gorbachev in 1989, "The success of the ideas of socialism in the contemporary world community depends on the success of perestroika [Gorbachev's efforts to reform]"? The Germans were no better. That same year, former chancellor Willy Brandt assured Gorbachev that they were witnessing "a new quality of socialism in a very large

part of the world." For good measure, he offered to do what he could to stifle democracy then rising in the Baltic republics.

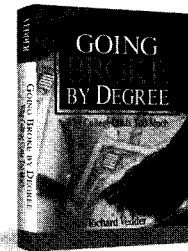
But none are quite so creepy as the French visitors. In November 1988, President Mitterrand assured Gorbachev that "the construction of a 'Common European Home' is a great idea" and its realization would be his top priority. Bukovsky and Stroilov quote similar goblets of appeasement and fellow-traveling from Valéry Giscard d'Estaing, another French president and since then author of the EU constitution: "Nowadays Western Europe is experiencing a perestroika, changing its structure . . . the USSR should be prepared to communicate with a large single state of Western Europe." Prominent French politicians and officials such as Chirac and Jacques Delors confirmed such thinking. The Socialist prime minister Pierre Mauroy cringed, "I am convinced that your democratic society will fit into the framework of the socialist movement developing in Europe."

Listening to this astonishing crew, no wonder Gorbachev fell victim to illusion. He must have come to believe that his Common European Home shared the values and political processes of the EU, and that similarities between the USSR and the EU were more than merely coincidental. Booker and North are right that the antecedents of the EU long predate Gorbachev, but Bukovsky and Stroilov are also right that the EU is a socialist construct, a statist collectivity comparable to the old USSR, complete with nomenclatura and an ideology aimed against the United States, on all of which the population at large has to be carefully protected from giving its true opinion.

Far-sightedly Bukovsky once predicted the demise of the Soviet Union. Seven of the 24 European commissioners today are former Communist apparatchiks, and in Bukovsky's warning, "it remains to be seen what kind of Gulag the EU will create." But the fate of all utopias is the same, he concludes, and "the EU will collapse very much like its prototype," even though "in doing so it will bury us all under the rubble." Still, he evidently hopes to activate public opinion in order to prevent the worst. Folly repeats itself but cannot crush the dissident spirit. **NR**



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■ AFRICA

'Never Again,' That Time

A recent movie spotlights
Rwanda

ANTHONY DANIELS

WHEN, in 1987, I crossed the border between Rwanda and Zaire, it was like going from a land of obsessive-compulsives into one of chronic hysterics. Everything on the Rwandan side was neat and tidy; everything on the Zairean side was broken down and disorderly. By comparison with Zaire, Rwanda was a haven of peace.

The Switzerland of Africa, expatriates in Rwanda assured me. Rwanda was clean and healthy. The administration was honest and efficient, the public services functioning, the roads well maintained. And just like Switzerland, there were lots of hills and mountains. As for the Rwandan form of democracy, if it was a little oppressive—well, so in its way was Switzerland's. It is true that the president, Maj.-Gen. Juvénal Habyarimana, had been in power unopposed since 1973 and was reelected with 99.98 percent of the votes cast; and that his party, the Mouvement Révolutionnaire National pour le Développement, inscribed every Rwandan from the moment of his birth as a member. But the country was prospering, and at least the president was a Hutu. The Hutu were the majority (the Tutsi being only 12 percent), and was not majority rule the first prerequisite of democracy? And if you really insisted on a justification for General Habyarimana, all you had to do was look at Tanzania to the east, and Zaire to the west.

A few years later, a genocide—the real thing, not the rhetorical accusation that is bandied about by those shallow people

Mr. Daniels is the author of, among other books, *Zanzibar to Timbuktu*, about traveling Africa by public transport.

for whom there is no distinction between words and things—took place in Rwanda, and the world (apart from France, which supported and supplied the *génocidaires*) looked away and sat on its hands, not even bothering to wring them in the usual self-exculpatory fashion.

Rwanda is a country—small, economically unimportant, of no significance to the rest of the world—that, together with its neighbor and mirror image Burundi, nevertheless retains a hold on the mind of anyone who has ever been there, and whose history quintessentially captures the very darkest side of human nature.

I never thought when I was there that there would one day be a feature film about Rwanda, let alone a film that the president of the United States would ask to see twice: but such is *Hotel Rwanda*. It recounts the heroic story of Paul Rusesabagina, the Hutu manager of the luxury Hôtel des Mille Collines in Kigali, the capital of Rwanda, who harbored and saved the lives of hundreds of Tutsis during the genocide. (The hotel, open again for business, now has rooms set aside for non-smokers and the disabled.)

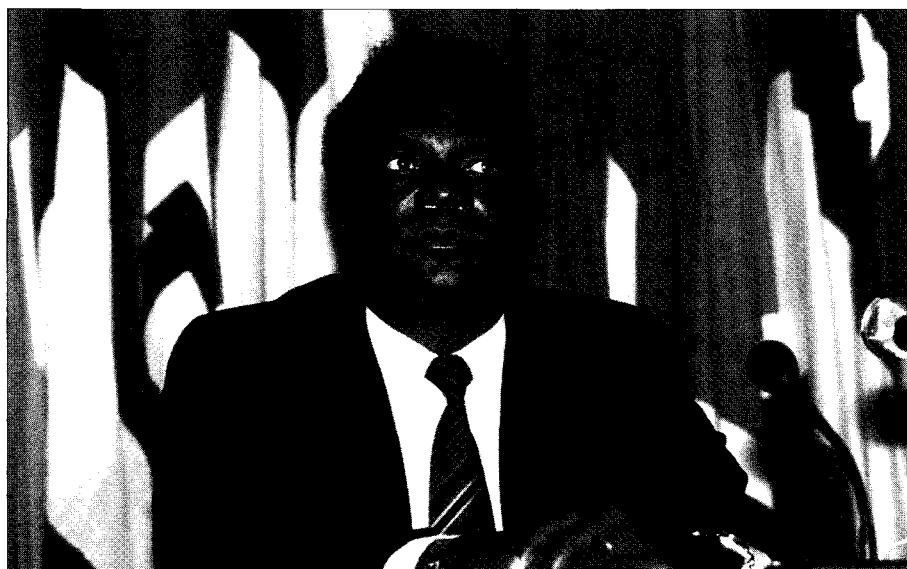
The account of Rusesabagina in the film differs slightly from the massive report on the genocide published in 1995 by African Rights. In the film, for example, Rusesabagina becomes manager of the hotel at the request of the departing European manager, having been deputy manager beforehand. In the report, however, he becomes manager on the orders of the genocidal government, transferring

from another hotel owned by the same company. These differing accounts have different connotations and emotional impacts, of course. A government order would imply that Rusesabagina was hitherto a man in the confidence of those in power, since luxury hotels in Third World capitals have a political and social importance that only those experienced in Third World matters can appreciate. This might confuse the viewer, who is generally thought by film companies to demand an unambiguous, Manichaean story.

There are other small discrepancies. In the film on one occasion, the manager is woken by a gun held to his head by an officer who orders him to evacuate the guests, by then all refugees, clearly as a prelude to a massacre. In his own account, published immediately after the events, Rusesabagina states that he was woken by telephone—a less cinematic awakening.

Still, these are but quibbles. In essence the story is true, and if the film sometimes descends into mawkishness, it also succeeds triumphantly in conveying the horror of the genocide without resort to salacious sensationalism. The director obviously decided that what is implied acts upon the mind more profoundly than what is shown.

By means of subterfuge, bribery, prevarication, and procrastination, the manager of the Mille Collines did resist evil, and this is an inspiring story. The fact that he was in a far better position to do so, as the manager of a luxury hotel, than others in Rwanda does not detract from his



Maj.-Gen. Juvénal Habyarimana

THERRY ORBAN/CORBIS SYGMA

courage, for the easiest thing for him to have done would have been to cooperate with the killers. His near-contemporaneous account makes it clear that his life was several times in danger, and there were many independent witnesses to his courage.

But as I left the cinema, I wondered what, exactly, a person would have learned from the film who had no previous knowledge of Rwanda. No one would be unmoved by it, of course: but would he know anything, rather than have felt something, new? The possibility of personal resistance to evil, perhaps? The senseless bestiality of humans in general, and of Africans in particular? The racism of whites who do not consider the lives of blacks equal to their own, and which they therefore think are not worth saving? The essential sameness of the emotional responses of blacks and whites? The pity of life?

The film demonstrates the inherent limitations of film as a means of understanding the world. It is fine as far as it goes, but it does not go very far: which is worrying if people gain their understanding of the world through this medium.

It is no criticism of the film that it was completely unable to offer a context in which the events it recounts happened. How could a film possibly do so, without being long and boring? The film takes, as for dramatic purposes it has to take, the situation as given: There were genocidal maniacs at large, and then Rusesabagina saved a lot of people from massacre by his courage. It is an excellent story, compressible into a couple of hours.

But if all that people knew of the history of Rwanda was what they could gather from the film, they would know next to nothing. Thus, the powerful emotion evoked by the film would be detached from knowledge. This, as a general means of approaching the world, can be very dangerous.

The story of Rwanda is convoluted, and can be understood (if at all) only in conjunction with that of its mirror image, Burundi.

The two countries were under Belgian rule from 1916 to 1962. Both countries had two groups of people (the extent to which they were of different racial origin is a matter of anthropological and sociological controversy): the Hutu, who were

cultivators, and the Tutsi, who were herders. The Hutu, in general, were short and stocky, and the Tutsi were tall and slender. The Tutsi, in the minority, were richer than the Hutu. However, the two groups spoke the same language, and the distinction between them was not absolute.

For most of their rule, the Belgians favored the Tutsi, whom they regarded as more intelligent, indeed of a superior race. This led to a hardening and institutionalization of differences between the two groups. Then, toward independence, in Rwanda but not in Burundi, the Belgians, under the influence of democratically inclined Belgian missionaries, changed horses and favored the Hutu. The suddenness of the change led to massacres, and many Tutsi fled to surrounding countries, including Uganda.

The fate of the Tutsi in Rwanda made the Tutsi government of Burundi nervous. In 1972, fearing a Hutu revolt, the Tutsis killed every Hutu with a secondary education, between 100,000 and 200,000 people in all. This led to further massacres of Tutsi in Rwanda, and many more fled to the surrounding countries, and as far afield as Europe and America.

When Habyarimana came to power by coup in 1973, he managed to calm the situation until about 1990. Discriminated against in education and government employment, the Tutsi were nevertheless left alone to prosper. Then, in about 1990, Habyarimana's position began to deteriorate. The economy faltered; the country, whose population essentially of subsistence farmers was growing at 3.2 percent a year, was grossly overcrowded, with a density as great as Holland's, the hillside soil eroding fast; there was outside pressure on the president to democratize, which led to the emergence and flourishing of Hutu extremist parties; and finally, the descendants of the Tutsi refugees in Uganda, financed by the diaspora, launched a war of "liberation."

They did so for two reasons: They believed that Rwanda was their rightful home, though by now it was foreign to them; and they were increasingly unwelcome in Uganda, despite—or because of—the fact that they had played a large part in bringing President Museveni to power there by force of arms.

Their invasion of the north of Rwanda

caused 800,000 Hutu—afraid, perhaps understandably but without empirical justification in this case, that they would be massacred by the returning Tutsi—to flee southward. Meanwhile, further massacres (of Tutsi by Hutu and Hutu by Tutsi) in Burundi sent 300,000 Hutu refugees northward into Rwanda. As the Tutsi rebels advanced, the Hutu population, constantly reminded by extremists of what had happened in Burundi in 1972, and surrounded by refugees fleeing from Tutsi insurgents to the north and from a Tutsi army to the south, thought it could be safe only if it eliminated the Tutsi from their land root and branch.

Once the genocide started, it had a terrible logic of its own. Kill, lest ye be not killed—failure to do so was evidence that you were on the other side.

My account is a distillate, and no doubt someone will dispute its accuracy in some aspect or other. The point, however, is that no film could convey such a historical understanding, and we should be careful not to mistake catharsis for understanding. See the film, by all means, it is powerful and moving; but there is still no substitute for reading to inform yourself about the world.

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Latin America's Terrible Two

Fidel Castro and Hugo Chávez constitute an axis of evil

OTTO J. REICH

In military terms, the Western Hemisphere is the strategic rear area of the United States. The U.S. needs a secure and prosperous hemisphere not only to ensure a peaceful neighborhood in which to live, but also to be able to project its power to the farthest reaches of the globe and win the War on Terror.

What is happening in our neighborhood? Press reports indicate that a leftist-populist alliance is engulfing most of South America. Some Andean and Central American countries are sliding back from economic reforms and narcotics eradication, and the Caribbean remains irrationally hostile to the U.S. This is the reality U.S. policymakers must confront; and our most pressing specific challenge is neutralizing or defeating the Cuba-Venezuela axis. With the combination of Castro's evil genius, experience in political warfare, and economic desperation, and Chávez's unlimited money and recklessness, the peace of this region is in peril.

A quarter-century ago, a democratic revolution began to stir in Latin America and the Caribbean. Today, that revolution is in danger of being reversed. When Ronald Reagan came to power in 1981, more than three-quarters of the region's citizens lived under undemocratic regimes, mostly right-wing military juntas, but also a few left-wing dictatorships. By 1981, the Soviet Union and its cat's paw, Fidel Castro, had succeeded in backing Marxist takeovers in two nations close to U.S. shores: Grenada and Nicaragua. Financed by the Soviets and by local kidnappings, drug trafficking, bank robberies, and other criminal activities, Castro had spread his ideology of violence throughout the Caribbean and Central America. By January 10, 1981, ten days before Reagan's first inauguration, the Castro-supplied Marxist FMLN guerrilla group in El Salvador felt so confident of victory over a moderate civilian-military junta that it launched what it called a "Final Offensive" to give Reagan an "inaugural gift" of a Communist El Salvador.

Mr. Reich served President Bush from 2001 to 2004, first as assistant secretary of state for the Western Hemisphere and later in the National Security Council. He now heads his own international government-relations firm in Washington.

In South America, a "dirty war" of left-wing violence in Argentina, Brazil, and Uruguay had led to an equal and opposite reaction by right-wing military regimes. At the hands of both sides, untold thousands were murdered, tortured, or "disappeared," under horrible conditions whose consequences are with us to this day (some members of those leftist movements are among the leaders democratically elected recently in South America). The Reagan administration withstood severe attacks from the usual wrong-headed suspects in Congress, the media, academia, and the churches, but managed to roll back the Communist aggression—even this language now seems outdated, but it is accurate.

THE LEFT'S RESURGENCE

By 1990, the tide had turned: There was not one right-wing military government still in office (something for which Reagan is not given credit in the so-called prestige press); over 90 percent of the region's population was living under elected governments; and most of the remaining leftist regimes or terrorist movements, such as the Sandinistas in Nicaragua, Noriega in Panama, and the FMLN in El Salvador, had few months of political life left. The worst dictatorship remaining was Castro's: His regime was crumbling faster than usual with the end of \$5 billion annual Soviet subsidies. Free-market policies and individual initiative fueled a promising return to prosperity in the Americas.

Today that progress—the legacy of freedom and democracy Reagan fought for—is being threatened, and so is U.S. national security. Not only is Castro still in power, but he is being kept afloat financially by Venezuela's oil-fueled charity; the Sandinistas are making a comeback in Nicaragua; and violent radical groups menace democracy from Bolivia to Haiti. In recent years, left-of-center leaders have come to power in Chile, Brazil, Ecuador, Argentina, Bolivia, the Dominican Republic, and Uruguay.

Should we worry about these leftists? In general, yes. We know that socialist prescriptions do not provide a solution for the problems of developing nations—and as the chief importer of goods and of people in this hemisphere, the U.S. will pay the price of their success or failure. We would much rather pay the price in import-

ed goods and services from successful societies than bear the cost of surplus populations, crime, and drugs exported by failed states. Another reason we should worry about some of these newly elected leaders is that often, former revolutionaries have acquired authoritarian habits that are hard to break. We, along with our allies, must keep a close watch on whether these presidents respect the human rights of their citizens. If a government is going to attempt to destabilize a neighbor, or establish an authoritarian regime, it must begin by violating the civil and political rights of its own people—by, for example, intimidating the press and muzzling free speech, controlling the labor unions, manipulating the currency, undermining private enterprise, and all the while creating public distractions by blaming foreign devils for the ills of the nation. And when governments take this path—as did the Argentine generals in the 1980s with the Falkland Islands, and Castro and Chávez more recently—they pose a threat to the survival of their neighbors.

Of course, we cannot put all the leftists in one basket. We must differentiate between individuals, and listen to what they say. Throughout history, Western democracies, including the U.S., have erred in ignoring the rhetoric of future despots. In the 1930s, few Europeans or Americans believed Hitler's *Mein Kampf* to be a viable blueprint for the takeover of Germany and for a war of aggression and extermination by a racist political regime (some exceptions to this rule, like Churchill, were labeled warmongers and ridiculed by the intelligentsia). American "opinion leaders" have always downplayed the threat posed by Castro, even after Castro begged Nikita Khrushchev to launch a Soviet nuclear attack against the U.S. at the height of the 1962 missile crisis.

Throughout history, Western democracies have erred in ignoring the rhetoric of future despots.

Many of these same congressmen, academics, journalists, and diplomats now minimize or ignore another would-be dictator in Venezuela. The U.S. cannot afford to follow them in this mistake, because Chávez has what Castro has always wanted—lots of money—and could use it to do great harm.

CONFRONTING CHÁVEZ

The first task of the U.S., and whatever coalition of the willing it can muster in the region, is to confront the dangerous alliance posed by Cuba and Venezuela. Chávez's misappropriation of Venezuela's extraordinary oil wealth, and his willingness to subordinate the nation's sovereignty to Castro's ambitions, is emboldening anti-American movements that only a few years ago were weak, broke, and demoralized. Since 2000, Chávez has injected billions of dollars into the Cuban economy (multiply 80,000 barrels of oil, times today's price, times 365 days a year), thus allowing Castro to extend the life of his bankrupt dictatorship. In exchange, Castro has provided an estimated 20,000 or more "teachers" (read: indoctrinators), intelligence agents, and military advisers to turn Venezuela into another Cuba. Chávez has also provided safe haven to Colombia's Communist terrorist groups such as the FARC, thus undermining one of the most democratic and successful leaders in the region, President Alvaro Uribe. Recently a FARC leader, Rodrigo Granda, identified as that terrorist group's

"foreign minister," was captured inside Venezuela by bounty hunters and delivered to the Colombian government. Granda, who was enjoying the Venezuelan government's "hospitality," had received Venezuelan documentation and had even voted in the August 2004 referendum that ratified Chávez's control. The democratic opposition in Venezuela and many foreign observers are convinced that the referendum was fraudulent: How many thousands of Colombians, Cubans, and other foreigners were given the same illegal opportunity to vote for Hugo Chávez?

Castro isn't the only beneficiary of Chávez's largesse. Untold millions of Venezuela's oil dollars are also being diverted to such radical leaders as Evo Morales in Bolivia, who advocates expansion of coca cultivation and upholds Castro's regime as the model for the Andean nations. Calling the U.S. "the world's most evil regime," Chávez has threatened to cut off exports of oil to the U.S. (Venezuela is our third largest source of foreign oil) and sell it to China. In March, during the visit of the president of Iran, Mohammed Khatami, to Caracas, Chávez publicly defended Iran's right to develop nuclear power and said that if the U.S. used military power to stop Iran, Venezuela would cut off oil deliveries to the U.S.

MARCHING BOOTS

Chávez is also engaging in a major force buildup. According to reports, he intends to acquire from Russia 50 sophisticated Mig-29s, 40 attack and transport helicopters, and 100,000 advanced AK-47s (an unusually high number for an armed force of not more than 35,000 men); from Spain, four naval frigates and an unspecified

number of battle tanks; and from Brazil, two dozen Tucano aircraft with air-to-ground attack capability. These and other Venezuelan military acquisitions (the amount of weapons transferred from Cuba or China is not known) threaten the peace of the entire region.

The most vulnerable current targets of the Castro-Chávez axis are Nicaragua and Bolivia. A Sandinista takeover in Nicaragua, this time not by force but by Trotskyite subversion of civil institutions, is being resisted by the same democratic forces that defeated the Communists over a decade ago. In Bolivia, a struggle has been underway for years between democratic forces and radical indigenous groups promoting an increase in coca cultivation and nationalization of energy resources. But this time the radical, or "anti-systemic" leftist forces have an advantage: They are receiving funding and political/military assistance from the outside. Colombian FARC "advisers" have been apprehended in Bolivia, and a couple of years ago the Venezuelan military attaché was caught passing large quantities of money to Evo Morales's party, according to the former Bolivian defense minister.

In Nicaragua, the Marxist Sandinistas are making a political comeback through an alliance with the party of disgraced former president Arnoldo Alemán, currently serving a sentence for corruption. The Sandinista-Alemán alliance is a threat to U.S. national security: It has prevented the elected government of President Bolaños from destroying Soviet-era surface-to-air mis-

siles (SAM-7s) that can shoot down commercial or civilian aircraft. Bolaños had agreed last year with then-secretary of state Powell to destroy the missiles.

Though it represents the majority of the population in both countries, as demonstrated by polls and elections, the pro-democracy, anti-radical civil society is under violent threat—violence is the favorite tool of the radicals—and thus needs the moral, political, and material support of the free nations of the world. As usual, the leadership for that support, especially in this part of the globe, must come from one country: the United States. Moreover, the U.S. can and must work with democratic leftists, the operative term being “democratic.” In fact, if they are like Chile’s president, Ricardo Lagos, they are no more a danger to democracy and freedom than is Tony Blair’s left-of-center Labour party—which, we should recall, has been our closest ally in Europe. Lagos is the latest leftist Chilean leader to preside over the continuation of an economic boom based on free-market policies and individual initiative, the very antithesis of socialism.

And if the new leaders are like Brazil’s Luiz Inácio Lula da Silva, we can be equally calm since, to date, Lula, as he is known, has governed without violating any political or economic rights of Brazilians. He has carried out centrist, orthodox economic policies that have resulted in substantial economic progress. On the other hand, Brazil’s foreign policy does have the leftist tilt and gratuitous anti-Americanism that is reflective of a socialist European mindset—in spite of the fact that President Bush has extended a hand of friendship and cooperation almost unprecedented to someone who came to office with such strong left-wing credentials as Lula. Bush ignored the many years of friendship between Lula and Communists such as Castro and instead wisely focused on the fact that the former labor unionist had always played the democratic game by the rules. Even when persecuted by military regimes, Lula never advocated violence. He ran for president of Brazil unsuccessfully three times before he won on the fourth try. Bush and Lula have had several pleasant and productive bilateral meetings; even before he was inaugurated, Lula was invited to a meeting in the Oval Office, something unusual for a president-elect. Lula’s clearly stated top priority is to find a way to feed the large proportion of Brazil’s population that is malnourished; it is probable that he knows that left-wing policies will not lift Brazilians from poverty and put food on their tables, and that’s why he has chosen a rational, centrist economic plan rather than Castroite policies.

The real danger to regional peace and stability today does not emanate as much from those relatively new democratically elected presidents as it does from two demagogues who have been around a while longer: Fidel Castro and Hugo Chávez. The emerging axis of subversion forming between Cuba and Venezuela must be confronted before it can undermine democracy in Colombia, Nicaragua, Bolivia, or another vulnerable neighbor. Many countries in the region are intimidated by the ability of the Castro-Chávez axis to mobilize anti-government violence, as in Bolivia; or by Chávez’s brazen use of oil as blackmail, as in the oil-starved and defenseless Caribbean island-nations; or by the leftist movements from which many of the current leaders came. Some are simply afraid to appear to support a policy favored by the “imperialist” U.S.—but they will have to overcome these fears lest their countries pay a severe price.

NR

■ HIGHER EDUCATION

Harvard’s Crucible

A question of academic freedom, and meritocracy, and sense

STEPHAN THERNSTROM

THE battle between Harvard president Larry Summers and the university’s Faculty of Arts and Sciences reached a climax on March 15, when 218 members of the faculty voted that they “lacked confidence” in his leadership, with 185 opposed and 18 abstentions. A second resolution expressed “regret” about Summers’s “mid-January statements about women in science and the adverse consequences of those statements for individuals and for Harvard,” and about “aspects of the President’s managerial approach.” Only 137 faculty members voted nay on that one, and 253 supported it. In the end, then, almost two out of three condemned Summers for his expressed views, his leadership style, or both.

This is the first such faculty revolt to take place in a major research university in the United States. A majority of the faculty behaved with total disregard for the principle that is the life blood of the university: academic freedom. And the issue of academic freedom, in this instance, was inextricably linked to another principle of critical importance to higher education: meritocracy.

In his nearly four years at Harvard’s helm, Summers has made many enemies. His strong public comments attacking anti-Semitism on the nation’s campuses, his support of ROTC, and his less-than-reverential treatment of then-Harvard professor Cornel West outraged leftist faculty members. His brusque and abrasive personal style, as well as his determination to concentrate more power in the president’s office, have alienated others. But the opportunity to humiliate him was created by remarks about the scarcity of female professors in many branches of science at elite universities. His comments, made at a closed-door conference at the National Bureau of Economic Research in Cambridge in January, ignited the firestorm of criticisms that led to the faculty revolt.

But the story does not begin with Summers’s NBER comments. A meeting of the Faculty of Arts and Sciences a month earlier was devoted almost entirely to the topic of “gender equity” within the Harvard faculty. That December discussion was a triumph for the Women’s Caucus, which

Mr. Thernstrom is the Winthrop professor of history at Harvard. His books include two with his wife, Abigail, the more recent of which is *No Excuses: Closing the Racial Gap in Learning*.

claims to speak for women faculty members and, with few exceptions, apparently does. The caucus is an unofficial body, but there is an official Standing Committee on Women, which is nothing more than the Women's Caucus in an official hat. That committee set the agenda for the meeting and its aim was straightforward: to increase the number of female faculty members. Greater gender diversity is urgently needed, the committee said, because "only" 23 percent of the junior faculty and 18 percent of the senior faculty are female, while women are half of the students enrolled in Harvard College.

With the sole exception of some brief critical comments by Prof. Harvey Mansfield, the most vocal conservative on the faculty, the December discussion entailed about as much of a clash of contending ideas as a typical church service on Sunday morning. No one asked whether making greater efforts to hire women would conflict with the meritocratic standard of hiring the best individual from a list of candidates. The tension between these two aims would seem obvious, but not to the faculty members assembled that day. One dean opined that diversity and intellectual merit were not "discrete goals" but were rather "intertwined," and that the university should seek to hire people who would make the greatest intellectual contribution and also contribute to gender diversity. But clearly, if the school selects one candidate over another because the former contributes to "diversity," then diversity trumps academic merit unless the two candidates are indistinguishable in their intellectual attainments and potential. If Harvard hopes to hire the nation's most promising demographer, searching for the best female demographer may not yield the best or even the third-best scholar.

The search for gender diversity is at war with merit except in cases in which there is pervasive discrimination against women. Some insinuated that this was the case at Harvard today—that the "old boy" networks were being succeeded by "young boy" networks governed by a new generation who are no less gender-exclusive than their predecessors. (No one made any reference to the "old girl" and "new girl" networks that play a powerful role in some departments today.)

In opening the December meeting, Summers declared his belief that achieving greater gender diversity within the Harvard faculty was of "great importance" and that serious discussion of how the university could improve its "unacceptable" record was essential. At its close, he called the conversation a valuable exercise in "collective consciousness-raising."

A TALE OF TWO LARRYS

And so Summers's remarks at the National Bureau of Economic Research a month later came as a shock. The NBER gathering focused on the issue of women in science, and a different Larry Summers appeared on stage. Offering what he termed "provocative" hypotheses, he suggested that the paucity of female scientists teaching in elite universities might not be evidence of discrimination in hiring. Rather, the gender imbalance was perhaps a consequence of socialization, with the result that men and women had different ambitions and preferences. Having children interfered more with the careers of women than those of men. Furthermore,

Summers dared to suggest, some research indicates that there could be a biological source for sex differences at the top of the distribution of certain highly specialized scientific talents.

The passion and bitterness of the ensuing attacks upon Summers may be understandable, however misguided. How could a man who had suddenly questioned the assumption that the key problem was discrimination be trusted to insist on the appointment of many more women to the faculty? Summers's response to the criticism was to apologize, apologize, and apologize again, in ever more abject terms. Exchanges with better-informed faculty members, he said, had convinced him of the error of his ways, though he failed to clarify exactly what he had gotten wrong. He was a "changed man," he fervently assured those in attendance at a special faculty meeting in late February. And he announced that he was appointing not one but two new committees to examine what could be done to engineer greater gender diversity on the Harvard faculty. He was back to the Larry Summers of December, who had seemed determined to do whatever it took to get the gender balance on the faculty right.

Two regular meetings of the Faculty of Arts and Sciences, in February and March, as well as an additional special meeting in between, were devoted exclusively to the controversy. Conspicuously absent from the six hours of discussion was any consideration of the substance of the issues Summers had addressed at the NBER. Were there both gender differences in socialization and deeper biological differences that accounted for male domination in certain scientific fields? Perhaps the faculty included competent scientists who believed that the research upon which Summers relied was so profoundly flawed as to be worthless. But no one took the floor to say so. Truth was apparently no defense in this libel trial. Steven Pinker, a professor of psychology, made the most penetrating observation of the day: A university, he said, "is supposed to be a place where ideas are evaluated by reasoned debate informed by the relevant literature, not by a show of hands of the faculty who happen to show up to a meeting on a Tuesday afternoon." He went on to ask, "Is it really appropriate for the Harvard faculty to *vote* on whether the statistical distributions of visuospatial abilities in men and women have the same variance? How many of those voting have done a literature search to examine the studies that President Summers was alluding to in making those claims? What's next—a vote on whether an asteroid led to the extinction of the dinosaurs?" No one rose to challenge this undeniable truth, but a majority of those voting paid it no heed.

Both Ruth Wisse, a professor of Yiddish literature, and I also spoke at length about the implications for academic freedom of a vote of no confidence or censure. Are there ideas about controversial issues that must remain unspoken, or research to which one cannot refer? Vigorous criticism of Summers was entirely appropriate, but his critics were not arguing with him. They were trying to silence him, and they've clearly succeeded in doing so.

POLICING THE 'COMMUNITY'

What triggered this controversy is instructive. Nancy

Hopkins, a professor of biology at MIT, attended the NBER conference, an academic meeting closed to the public and the press. Professor Hopkins was so offended by the suggestions made by Summers, she said, that she felt she would vomit unless she rushed from the room. So she did rush out, and proceeded to inform the *Boston Globe* of her travail. If hearing ideas that she deeply disagreed with made her physically ill, Professor Hopkins's temperament would seem poorly suited for academic life, which is all about free inquiry and unfettered debate.

A similar emotional response came from one of Summers's critics at the March meeting, who claimed that his NBER remarks had set the cause of women at Harvard back by 40 years. This critic was particularly concerned about the comments' "highly discouraging" impact on female undergraduates and graduate students, whom she called "the most vulnerable group in our community." Women at Harvard were "already under great social and institutional pressure," and now Summers had made their difficult lot even harder. These remarks, astonishingly, seemed to imply that full equality for women in the university of the 21st century will entail a reversion to Victorian notions of what is proper to say in the company of a lady. Women are apparently the equals of men in every possible way except their special "vulnerability" to ideas they don't like.

Women are apparently the equals of men in every possible way except in their special 'vulnerability' to ideas they don't like.

Closely linked in the debate to the idea of women as "vulnerable" was the notion that Harvard is a "community," and that Summers had advanced ideas that violated the norms of that community. A classicist even spoke lovingly of Harvard as a polis, and others echoed his usage. (Of course, no one mentioned how Socrates met his death.) One colleague suggested that academic freedom was ever so important, but that our academic freedom was somehow "premised on" our membership in a community that assumed all people are equal. Summers's NBER comments were heretical because they were inconsistent with the dogma of equality.

Is Harvard University really a "community" that requires ideological conformity? The First Baptist Church of Peoria is such a community, with a common conception of God and how best to worship Him. Possibly Bob Jones University is such a community. But no great university can retain its greatness if it attempts to enforce the equivalent of a religious creed on its members. What really holds the members of the Harvard "community" together is much more limited: It is—or at least it used to be—a common commitment to pursue the truth through disciplined scholarship, and a faith that freedom of inquiry is the best means to arrive at the truth. The "provocative" remarks made by Summers are entirely consistent with that older community norm—but not, of course, with the new creed now ascendant among the faculty.

EATING THEIR CAKE AND HAVING IT TOO

An unintentionally ironic postscript to this whole sorry affair was provided by the reliably liberal *Boston Globe*, which had broken the initial story and done its best to keep it alive. Three days after the March 15 meeting, the paper published an op-ed by a female "management consultant" who argued that American business was "too blue"—i.e., too masculine—and needed more "pink," with feminine perspectives at the top. The author referred to the research of a Cambridge University scientist who had distinguished "systematizing skills (that is analytical skills and the ability to manipulate abstractions and models mentally)" from "empathizing skills (the ability to understand and relate to other people's emotions)." The former was a trait of "the male brain" and the latter of the female brain. This, of course, sounds like a cruder version of the hypothesis that got Larry Summers in trouble. If you believe it, you might logically conclude that departments of physics are correct in placing a heavy premium on the former and zero on the latter. If this argument had any merit, we might expect to find more female professors of English than of physics, just as Summers suggested.

But the piece was framed as an argument for hiring *more* female executives, and thus illustrates one of the most remarkable traits of contemporary feminism: its breath-taking ability

to work both sides of the street, insisting that males and females are identical in every important way when the assertion serves their immediate end, and then switching without pause to the opposite view that women are fundamentally different from men when that serves the same end better.

Larry Summers will very likely keep his job, bloodied and very much bowed. He was not elected by the faculty but by the Harvard Corporation, which has shown no sign that it thinks his ability to lead the massive development of an enlarged campus and to raise the required money has been damaged beyond repair. But the university's ability to raise megabucks from its alumni may indeed suffer, if the feminists conduct a successful campaign to persuade donors to boycott the school until Summers is replaced. Some might hold out until Harvard picks its first female president. Certainly Summers's ability to insist that female candidates recommended for permanent appointments at Harvard meet the same high standards applied to men has been diminished. And if he was named president because he was thought to be a tough guy who could push through some ambitious plans, one wonders whether the kinder, gentler Larry can play that role.

In any event, this episode is sad news for defenders of academic freedom and meritocracy at Harvard and elsewhere in the land. It is astonishing that it could have happened at a great university whose motto is Veritas.

NR

■ CANADA

The Great Right North?

Conservatives may finally be getting their act together in Canada

JOHN O'SULLIVAN

If you had swallowed the general view of the Canadian news media, the national convention of the (relatively) new Canadian Conservative Party in Montreal was likely to be a sad and solemn wake. Unfortunately, nobody told the corpse, who got up and danced a decorous Canadian reel. About 2,900 Tories had gathered in Montreal—a pretty large gathering by Canadian standards and, as the Tories kept emphasizing, somewhat larger than the national convention of the ruling Liberals two weeks previously. Despite the urgings of the media that they should split back into the two hostile parties whose merger had created the CCP less than two years ago, they showed a firm determination to settle their disagreements within a unified party. And they gave off strong whiffs of enthusiasm, combativeness, and momentum.

Maybe, like Rick in *Casablanca*, they were misinformed, for Canada's political terrain is pretty inhospitable to the Right in several ways. In the first place, the Tories are living in a pre-Goldwater country—namely, one in which an essentially conservative population lives under the hegemony of liberal institutions, a liberal political culture, and liberal elites. As in the U.S., the major cultural institutions, the media, and even business corporations are solidly liberal in their leanings. They shape a political climate of liberal orthodoxy that inevitably distorts both the opinions and the allegiance of the voters. Thus, some perfectly respectable policies, such as regulating abortion, become more or less unthinkable because they run counter to the strong convictions of the liberal elite.

What makes Canada still more inhospitable to conservatism is the 1982 adoption of a new constitution with a Charter of Rights written by Pierre Trudeau. That subjected Canada's traditional parliamentary sovereignty to a written constitution interpreted by the courts. It thereby entrenched liberal policies against conservative electoral victories. The courts, for instance, are currently in the process of introducing gay marriage through constitutional interpretation. So Canadian liberalism enjoys political as well as cultural hegemony.

Indeed, Trudeau invented a new Canadian national identity designed to make conservatives feel uncomfortable and even alien. He replaced Canada's two national traditions—the French and Anglo—with an ersatz Canadian nationalism of his own in which the main foci of loyalty are Canada's landscapes and its welfare state (both allegedly superior to those in the U.S.). Insofar

as this curious ideology of “soil and bloodlessness” has taken hold (in fact, only shakily), it puts principled conservatives in the uneasy position of looking anti-national—at least to the liberal establishment.

The second obstacle is Quebec. That is historically odd since Quebec was a bastion of conservatism, both religious and political, until the “quiet revolution” of the '68ers transformed it. It is now the bastion of a secular and socialist nationalism (whose dire consequences are brilliantly depicted in the film *The Barbarian Invasions*). The Tories, seen as the main Anglo party, are weak in the province. But a group of Quebec conservative intellectuals based around the magazine *Egards* is seeking to reverse the quiet revolution, beginning inside the local Tory party which has accommodated itself to it.

On top of the obstacles to power raised by others, the Tories added one of their own. Until two years ago, they were split.

An Australian observer at Montreal made the point that in his country and other English-speaking nations, conservatism tends to generate both a party and a movement. The movement wants principle, the party power; the movement tends to the right, the party to the center; the movement dislikes compromise, the party inevitably embraces it. These tensions can be kept in check as long as the party and the movement do not go too far in opposite directions. That happened in the early '90s, however, when Brian Mulroney's efforts to appease Quebec alienated his conservative base in western Canada. Disillusioned Tories joined with western social conservatives to found the Reform party. The incumbent Tories crashed in the 1993 general election to holding a mere two seats in parliament. Reform became the major conservative party in parliament—but one lacking much, if any, support in Ontario and Atlantic Canada. And the Liberals enjoyed the prospect of stable political hegemony indefinitely—with only 38 percent of the popular vote.

A UNIFIED CONSERVATISM

NATIONAL REVIEW's own David Frum had a distinctly proprietorial air at the reception thrown by Canada's new conservative magazine, the *Western Standard*, for delegates to the Montreal convention. Frum had some reason to feel a sense of ownership, for he was one among the relatively small number of people who over the previous decade had helped to revive a unified Canadian conservatism.

It began with the movement rather than the politicians. Nine years ago Frum had brought together activists and intellectuals from what were then the mutually hostile Reform and Progressive Conservative parties at the “Winds of Change” conference in Calgary. There was general agreement in Calgary that unity was a political necessity. But the bitterness between the two parties was still too strong to permit an electoral alliance, let alone a merger. Still, a start had been made.

Two years after the Calgary conference, Conrad Black founded the *National Post*, a national newspaper, to bring some ideological diversity to the suffocating liberal conformity of Canadian journalism and to unite the still-divided Right. Frum was a regular columnist on the *Post*; Ezra Levant, now the publisher of the *Western Standard*, was hired as an editorial writer on it; the incomparable Mark Steyn was the newspaper's star columnist; and it was edited by Ken Whyte, probably the most talented and innov-

ative newspaper editor in North America. (Full disclosure: I had arrived at the "Winds of Change" conference as an observer, been instantly promoted to "keynote speaker," and found myself thereafter treated as an expert on Canadian politics. Partly as a result, when the *Post* was founded, I became in effect its editorial-page and op-ed editor. So I had a ringside seat at these birth-pangs of a new conservatism.)

The *Post*'s impact was enormous. Within a short time it had reached a circulation of 360,000—equivalent to a U.S. circulation of more than 3 million—and was altering the cultural and political landscape. In particular, Whyte's insistent message of "Unite the Right" pushed a not unwilling Preston Manning, then the Reform leader, into an attempted merger between his own Reform party and the remnant of the Progressive Conservatives. The birth of the so-called Canadian Alliance was, unfortunately, premature. "Red Tories" (who are more statist than most Liberals) still had enough clout to prevent more than a handful of their party from defecting to an organization they despised as both redneck and principled. Another election defeat was required to persuade most Tories that they had no independent future.

Eventually, two new party leaders—Stephen Harper for the Alliance and Peter MacKay for the Progressive Tories—negotiated a merger and established the Canadian Conservative Party. Harper was elected leader of the joint party, which almost at once had to fight a general election last year. It did agonizingly well. If the election had been held one week before, the new party would

THE NO-RISK STRATEGY

Appeasing Quebec may be the only risk he takes. Harper is a genuine conservative intellectual and even a policy wonk. But he is also the most cerebral and detached party leader since Richard Nixon. He makes his calculations and then watches how they pan out. At present his calculation is that the Liberals will self-destruct and that the Bloc Québécois will give them a helping hand. The Tories should therefore avoid taking risks—which means not advancing controversial policies unless absolutely necessary.

Of course, as Nixon found in 1968, a strategy of taking no risks is a high-risk strategy. Harper will therefore keep in reserve a handful of bold policy positions for the actual election campaign—probably economic rather than socially conservative ones—in order to counter Liberal claims of a "hidden agenda." In power he might also seek to reshape Trudeau's anti-national nationalism to make it more genuinely inclusive and more reflective of actual Canadian traditions. In the meantime, however, Harper's watchword is caution.

But the party is not the sole custodian of conservatism. There is today not only a party, and a movement, but also a conservative counter-establishment. Ken Whyte is about to take up the editorship of Canada's national magazine, *Macleans*. Mark Steyn is now established as the country's leading columnist at home and abroad. Ezra Levant is the publisher of the *Western Standard*. Another *National Post* alumnus, John Williamson, runs the Canadian

The Canadian conservatives have just reached 1968—the 1968 of the post-Goldwater Republicans.

probably have won an outright majority. Last-minute gaffes, however, frightened the voters. In the end, the united Tories increased their seats to almost 100 and the Liberals barely survived as a minority government.

Nothing since then has gone right for the Liberals under Paul Martin, the prime minister. His government has been rocked by an ongoing financial scandal, serial incompetence, rows with Washington, and the decline of Martin's personal reputation into "Mr. Dithers." But the Tories have benefited hardly at all from these setbacks.

So the party convention—meeting to pass judgment on Harper's leadership, to discuss a new policy platform, and to test their new fraternal relations—might have been a shambles. Canadian journalists were largely hoping for just that—they thought that the movement would break with the party. In fact they got a demonstration of movement-party unity. Such old opponents as Brian Mulroney and Preston Manning buried their hatchets and spoke as, in effect, joint patrons of the new organization, and Harper's leadership was reaffirmed with a massive majority.

What now? Well, the new party is on track to emerge from the next election as a minority government. Harper expects an increased Tory vote, but he is relying ultimately on the antipathy of the left-nationalist Bloc Québécois for the Liberals to put a minority Tory government in power. The price the Bloc asks might well be some form of devolution.

Taxpayers Federation. And the *National Post* itself, though owned by the liberal Asper family, remains a serious, conservative national paper, even if slightly less buccaneering in tone. These are major inroads into the cultural hegemony of Canadian liberalism. And they will help a future Conservative government to resist any tendency to appease the establishment.

Meanwhile, grassroots social conservatives are organizing in Ontario and Quebec as well as in western Canada. Party managers at Montreal were surprised at the number of "so-cons" who turned up in provincial delegations that were supposed to be the preserve of liberal Progressive Tories. To everyone's surprise, Quebec voted 53 to 47 percent against gay marriage in a vote that rejected it by 75 to 25 percent overall. And the passage (by 55 to 45 percent) of a motion rejecting any regulation of abortion was greeted with Machiavellian satisfaction by one social conservative. "A Pyrrhic defeat," he explained, "that will result in more volunteers joining the party in districts that are now in the few hands of a few Red Tories."

Canadian conservatives, in short, are on the march. They have just reached 1968—the 1968 not of student revolutionaries but of the post-Goldwater Republicans who had absorbed their 1964 defeat and were now on the way to capturing their party, their culture, and eventually their country.

In Canada's case, however, it will definitely be a long march.

NR

A Tremendously Costly Law

Sarbanes-Oxley, three years after its unfortunate passage

JOHN BERLAU

EARLY this year, an unusual full-page ad appeared in the *Wall Street Journal* and other financial newspapers. The ad attempted to refute claims from businessmen about the costs imposed by the mandates of the Sarbanes-Oxley Act, the “corporate reform” law Congress passed in 2002 after accounting scandals hit Enron, Worldcom, and other companies. Yes, procedures stemming from that law “are neither simple nor inexpensive,” the ad said, but the costs are well worth it if the result is restored investor confidence. “The [law’s] greater goal and promise,” the ad proclaimed, “is that the rigorous demands of compliance can lay the groundwork for improved and more reliable financial reporting, leading to a higher level of public trust.”

The ad’s message itself was not unusual; it mirrored the standard response the law’s defenders give to complaints about cost. A *Washington Post* editorial intoned, “The nation’s corporate chieftains . . . complain about the cost of this new regulation, not pausing to mention the cost of Enron-type scandals.” But what this newspaper ad shows is that not all corporate chieftains oppose this law. The expensive ad was not paid for by a pension fund or another group representing the investors the law was intended to serve: Its sponsor was, rather, PricewaterhouseCoopers, the multi-billion-dollar accounting firm making a bundle in fees for doing all the audits the law has ended up requiring of business. By creating so many hurdles for public companies, the law has birthed a golden goose for those who audit them. And ironically, despite the media and legislative clamor to “get” the big accounting firms after Enron imploded, it’s the Big Four accounting firms that have turned out to be the big winners from Sarbanes-Oxley.

THE BIG FOUR VS. AMERICA

“Auditors who lost their jobs when Arthur Andersen folded in the wake of the Enron scandal now find themselves up to their ears in work . . . auditing local businesses that are racing to meet Sarbanes-Oxley regulations,” the *San Jose Mercury News* reported in December. According to *BusinessWeek*, PricewaterhouseCoopers has hired more than 1,600 new auditors and 400 temps from English-speaking lands to perform the extensive audits of businesses. The Big Four are hiring big-time, and have stepped up their recruiting efforts on college campuses: *BusinessWeek* says

KPMG has upped its college recruitment by 40 percent in the last two years. Accounting is now a hot major. A headline in the magazine *Practical Accountant* summed up the accounting frenzy: “Cash in on Sarbanes-Oxley; reform unleashed a plethora of new and varied engagement opportunities.”

But what’s good for the Big Four isn’t necessarily good for America. Other businesses, and ultimately the economy as a whole, are footing the bill for this regulation-driven auditing boom. Mounting evidence shows that the accounting-industry growth generated by Sarbanes-Oxley is coming at the expense of productivity, new jobs, and innovation in the general business world. A survey by Korn/Ferry International found that the law cost Fortune 1000 companies an average of \$5.1 million in compliance expenses last year. For middle-market public companies, the law firm Foley & Lardner found that the act has increased the “cost of being public”—everything from audit fees to director insurance—by 130 percent. Substantial man-hours have also been diverted to Sarbanes-Oxley from other, more productive tasks. The industry group Financial Executives International found that the average firm was spending at least 30,700 man-hours a year on compliance with this law. As a result, a number of small U.S. and big foreign firms are rushing to deregister from U.S. stock exchanges—a blow to the U.S. capital markets, and, in turn, to the smaller U.S. companies that depend on these capital markets for financing.

Still, despite business complaints, the administration and the congressional majority—who have other critics, ones accusing them of wanting to repeal the New Deal—show no signs of willingness to scale back what has been called the greatest expansion of federal corporate law since FDR. Congress passed Sarbanes-Oxley less than a month after Worldcom announced it was in serious trouble; it was also six months after Enron’s bankruptcy, and three months before the 2002 midterm elections. The Senate, then under Democratic control, had crafted a sweeping corporate overhaul bill by Sen. Paul Sarbanes, Democrat of Maryland. The House had passed a more modest bill by House Financial Services Committee chairman Mike Oxley, Republican of Ohio. When Worldcom announced the earnings restatement that would lead to its bankruptcy, the Bush administration and congressional Republicans went into crisis mode and approved Sarbanes’s bill with very minor changes; about the only thing the House Republicans added to the final bill was a provision increasing the jail terms for those convicted of corporate wrongdoing. The bill passed the Senate 99-0, and the House approved it with only three members voting no.

The final product, the Sarbanes-Oxley Act, goes against a 30-year trend of general economic deregulation under Republican and Democratic presidents. It undermines federalism, by going where the federal government has never gone before in areas of corporation law that had long been provinces of the states; UCLA law professor Stephen Bainbridge wrote in *Regulation* magazine that the act has ushered in “the creeping federalization of corporate law.” It regulates the structure and functions of boards of directors, and prescribes the duties of specific employees and board members. Intentionally or unintentionally, the law takes a significant step toward the longtime goal of Ralph Nader and other leftists: federal chartering of corporations. Environmental and labor activists are looking at ways to use the law to launch “shareholder complaints” to force companies to bend to their agenda. As William Greider

Mr. Berlau is the Warren T. Brookes journalism fellow at the Competitive Enterprise Institute.

noted approvingly in a recent cover article in *The Nation*, this new leftist “reform impulse is different because it seeks to change the system from within, using workers’ capital as the driving wedge.”

Oxley and the administration are standing firmly behind the law and seem opposed to significant changes in it. When I recently asked Oxley’s office for his current views on the law, I was referred to remarks he made early last year at an event with Sarbanes at Washington’s National Press Club, in which he said that “the objective ways that you measure this seems to me on the positive side,” and that the market had gotten better since the law was passed. As for compliance costs, he said, they “pale in comparison to the costs of corporate fraud that could have occurred without this legislation.” Treasury secretary John Snow in a recent *BusinessWeek* interview praised Sarbanes-Oxley as “critically important legislation” and said Congress didn’t need to modify the law.

Meanwhile, the law is fulfilling its promise to create, in President Bush’s words at the signing ceremony, “the most far-reaching reforms of American business practices since the time of Franklin Delano Roosevelt.” Indeed, one section of the law threatens to become the most extensive day-to-day regulation of American business since FDR’s National Industrial Recovery Act, the price-and-output regulatory scheme struck down by a unanimous Supreme Court in 1935. Just as the NIRA created industry boards that had to approve prices and output, Sarbanes-Oxley’s Section 404 and its regulatory extensions mandate that the most minute book-keeping practices have to be okayed by auditors.

PEEKABOO, WE SEE YOU

Section 404 requires that a business’s executives sign off on the “internal controls” over financial statements and that the company’s outside auditors “attest to” the soundness of these controls. The law also created the quasi-private Public Company Accounting Oversight Board to regulate accountants and set auditing standards. Although the Big Four initially opposed the tougher regulation this body would entail as well as the law’s bans on consulting services that can be sold to an audit client, they quickly decided that having the board define “internal controls” as broadly as possible would likely more than make up for their losses. “We love the PCAOB and we love Section 404, especially given the other regulations in the law that affect us,” says a staffer in the Washington, D.C., office of a Big Four firm.

The PCAOB, non-affectionately referred to as “Peekaboo” by many in the companies that are under its thumb, gave the accountants what they wanted: Last March, it defined internal controls as “controls over all relevant financial statement assertions related to all significant accounts and disclosures in the financial statements.” It also defined the law’s phrase “attestation” as a full-blown audit of each of these controls, just as the company’s numbers have traditionally been audited. In practice, this means that such things as the technology used to derive accounting numbers must be audited every year by the accountants. The board states that “the nature and characteristics of a company’s use of information technology in its information system affect the company’s internal control over financial reporting.” This passage alarms public-company tech employees, because no technology is

perfect, and even knowledgeable techies disagree about which is the best software. One public company’s chief financial officer says this could mean that an auditor could label a computer with Windows 97, rather than an updated version, a bad internal control.

Daniel Goelzer, a member of the PCAOB, says this isn’t likely: “I can’t offhand think of a way that using an old version of Windows would make it more likely that your financial statements would be inaccurate.” But he adds, “Maybe if there’s something about the way that your Windows 95 interacted with the rest of the accounting software at a particular company, maybe it’s conceivable.” It’s really up to the judgment of the individual auditor to decide whether a control passes muster, he says. “We have definitions, but I would certainly say to you that applying those definitions to a particular company requires judgment. That’s why auditing’s a profession, not a trade.”

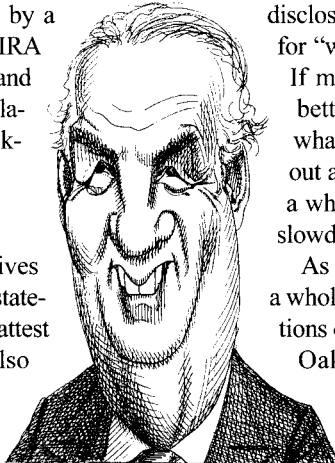
Yet it’s a profession that the law is turning into a mini-regulator. And it’s troubling when auditors have the power to second-guess management’s best judgment on matters like technology, particularly when this power is combined with other parts of the law requiring “material weaknesses” discovered by auditors to be disclosed to shareholders and establishing criminal penalties for “willfully” disregarding proper accounting procedures. If management, which presumably knows the company better than anyone, has to go against its judgment of what’s best to please an auditor, shareholders could lose out as well. And with every new business venture, there’s a whole new set of internal controls. This could lead to a slowdown in business investment.

As if all this weren’t enough for businesses to cope with, a whole bunch of interest groups now have their own definitions of “internal controls” they want to have imposed. The Oakland-based Rose Foundation for Communities and the Environment has called on the PCAOB to mandate that “independent auditors include reviewing the financial impacts of environmental conditions and environmental liabilities as part of their scope.”

Many companies are hurrying to escape Sarbanes-Oxley by leaving the stock exchanges: According to a Wharton study, 198 American companies deregistered from exchanges in 2003, the year after the law was passed—nearly triple the number that deregistered in 2002. Prominent European firms, such as Siemens, are also considering pulling their U.S. listing because of the law. In 2004, the New York Stock Exchange had only ten new foreign listings.

This is clearly a threat to overall economic vitality. Alfred C. Eckert III, CEO of the GSC Partners investment firm, also worries that both Section 404 and the law’s mandates for boards of directors will lead to the “bureaucratization” of large American firms: “We’re going to have people who are much more bureaucratic . . . and who are frightened and will react in always the most conservative course and will rely on process dictated by lawyers rather than good business judgment.” Eckert warns that if Bush and Congress ignore these effects of Sarbanes-Oxley, Bush’s planned tax and Social Security reforms will not come to full fruition. “[Sarbanes-Oxley] will make capital more expensive and lower the rate of growth of America. It’s very simple.”

NR



Sen. Paul Sarbanes

the long view

ROB LONG

Ask Your Mental Health Practitioner!

Sponsored by Pfizer™

DEAR MENTAL HEALTH PRACTITIONER,

I am a fairly high-ranking official with the World Bank. Recently, the current president of the United States nominated a totally unacceptable person to be the new head of our organization. The person he nominated—a prominent neoconservative—is widely credited with being the architect of America's disastrous invasion of Iraq, as well as its bellicose stance toward the nations of Iran, Syria, and North Korea. Given that the World Bank is an effective and crucial international institution, and given that I will have to report to this person on a weekly if not daily basis, I'm wondering which specific anti-anxiety medication you recommend.

THE MENTAL HEALTH PRACTITIONER
RESPONDS:

Well, first, you're to be commended for realizing that your situation requires immediate and powerful medication. A new boss is always a significant stressor even in the best of circumstances, and this certainly isn't one of those! Your work, though, probably involves a fair amount of travel and a high level of entertaining, and for this reason I suggest looking into some kind of fast-acting anti-anxiety agent, like Seredyn. As a side note, your work with the World Bank probably involves an elevated level of naturally occurring hallucination and fantastical mental imagery. Be aware that the introduction of any form of psychopharmacology into the specific mental environment that allows you to perceive your work at the World Bank as "effective" or "crucial" may alter that environment, and that perception. Please see your doctor before beginning any course of medication.

DEAR MENTAL HEALTH PRACTITIONER,

Until recently, I was a prominent anchorman on the evening news program of a well-known broadcast network. A few weeks ago, I stepped down from that lofty position. During the first week, I spent time catching up with old friends, exploring the world of Chinese wok cookery, re-reading old college notebooks, and making to-do lists. During the second week, though, I realized that I was avoiding dealing with a



lot of my mental-health issues, and that I had spent the previous few decades sweeping a lot of frankly weird behavior under the rug. Now, as the third week of not being a network anchor begins, I'm finally starting to have me take care of me, if you see what I mean, and to understand just how many forces and beings and voices there are out there trying to destroy me. To that end, two questions: One, after lining the rooms of my home with tin foil, is it also necessary to line the inside of my cowboy hat with similar material? Assuming, of course, that I keep to my current habit of not leaving the premises? And two, while saving and freezing my urine and feces, is it necessary to date and time each freezer bag, or is simply dating it enough?

THE MENTAL HEALTH PRACTITIONER
RESPONDS:

A number of effective and powerful anti-psychotic medications are now available. Clozaril, Risperdal, and Zyprexa are among the most widely prescribed, but it's difficult to suggest a specific medication without knowing which one (or ones) you were taking during your years as a prominent network anchorman. My guess is that you were intermittently taking an older and obsolete anti-psychotic, and as your brain chemistry changed with age and medication side-effects, the treatment became less and less consistent and your psychotic episodes became more

frequent and bizarre. Thus you find yourself in a foil-lined room holding a freezer bag of excreta. It is difficult to determine whether this represents a step backward for you in terms of mental health and functionality. But if you do decide to address your feelings using the latest anti-psychotic medication, asking your doctor should be your first step.

DEAR MENTAL HEALTH PRACTITIONER,

I am the president of the largest international diplomatic institution in the world. Recently, the president of the United States nominated someone to be the ambassador to this institution who is personally unacceptable to me. His past comments and statements about this institution suggest that he will be unable to work within the customs and habits of the organization. My problem is that I am currently max'ed out on the legal dosage for the anti-anxiety medication Aventyl (I am presently under investigation for fraud and embezzlement) as well as Zoloft (to relieve symptoms of genocide) and Effexor XR and Paxil CR Oral (for depression stemming from irrelevance) and am therefore ineligible for further medications. I am obviously concerned that this new ambassador is going to necessitate further and more powerful doses of my current prescriptions, none of which are legally safe to increase. What do you suggest?

THE MENTAL HEALTH PRACTITIONER
RESPONDS:

Luckily, many of the recent anti-anxiety medications are also effective in treating certain forms of depression—especially so-called "social" depression caused by feelings of inadequacy—so it's entirely possible that your doctor can combine some of your symptoms under one treatment. Your Zoloft course, though, can probably be eliminated entirely (like, ironically, most of the population of Darfur) and replaced with a more "holistic" approach to genocide stress management: herbs, aromatic oils, personal pampering time, and massage.

HELD

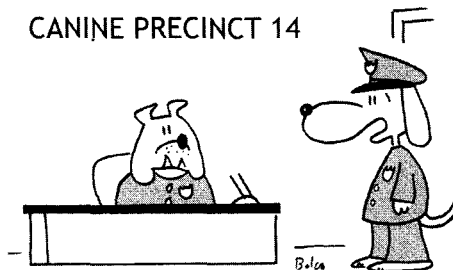
CONDI'S U.N. MAN

*My favorite Bolton aperçu
Was when John volunteered the view
That, were the U.N.'s ten top floors
Lopped off, remaining corridors
Would never notice. Kofi found—
While peering closely at the ground—
The comment somewhat off the wall,
As did those in a top-floor stall.*

—W. H. VON DREELE



CANINE PRECINCT 14



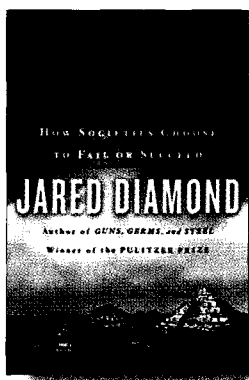
"I thought I had him, Chief,
but it turned out I was chasing my own tail."



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"HEY! BACK IN THE LAMP!... HEY!"

Decline And Fall



*Collapse: How Societies
Choose to Fail or Succeed,*
by Jared Diamond
(Viking, 592 pp., \$29.95)

VICTOR DAVIS HANSON

JARED DIAMOND's bestselling *Guns, Germs, and Steel* argued that geography trumped culture, and that the current privileged position of the West was therefore mostly attributable to the advantageous resources in, and location of, Western countries, rather than to Europe's singular values. Despite the allure of such a politically correct exegesis—President Clinton endorsed the book wholeheartedly—there were numerous criticisms of this determinist idea of natural accidents resulting in the present-day dominance of the West. At some point a Cleisthenes, Plato, Augustine, Magna Carta, Sistine Chapel, Thomas Edison, or Albert Einstein—and the thinking and substructure that produced them—is worth more than long, indented coastlines and concentrations of iron ore. Diamond seemed to be terribly confused about the course of 2,500 years of Western

Mr. Hanson, a contributing editor of *National Review Online*, is a military historian and a senior fellow at the Hoover Institution at Stanford University.

history: Environment, far from being a precondition for Western success, was often almost irrelevant to it.

For example, how did the Ptolemies create an even more dynamic civilization than that of the earlier dynastic pharaohs, when they inherited from them a supposedly exhausted and increasingly salinized landscape? Or why did the palatial culture of Mycenae prove to be a dead-end society, and yet the radically different Greek city-state centuries later blossomed in the exact same environment? More immediately, are we to suppose that there are underappreciated micro-climates that separate Tijuana from San Diego, strangely different soils on the two immediate sides of the Korean DMZ, and something about those ever-changing lagoons of Venice that made it irrelevant in late Roman times, a world power in 1500, and once again a backwater by 1850? Did the environment of Britain improve from A.D. 400 to 1700 while Rome's declined, thus explaining why the former outpost of the Western world became its new center and vice versa?

Never mind that these bothersome historical details point to a particularly innovative—and ever evolving—social, economic, and political Western paradigm that can not only destroy, but repair, and, yes, often improve on nature in a way not quite possible in other cultures. The hillside slums of Mexico City, Sao Paulo, or Calcutta may support Diamond's gloomy assessments of what population density and environmental ignorance have wrought, but why does such a theory break down when we look at civilized and relatively affluent life in similarly congested Tokyo and London? Instead of the hard work of sorting out the subtleties of how sophisticated Westernized cultures both succeed and fail in inhospitable landscapes, the morality tale of *Guns, Germs, and Steel* was soothing salve to the increasingly berated Westerner, who apparently was amused by the idea that he had not stolen, but bumbled onto, his embarrassing bounty. And so the book, presented in a chatty and often witty style, went on to sell a million copies.

Perhaps Diamond sensed those inconsistencies and thus in his new book,

Collapse, he attempts to demonstrate through case histories of small micro-climates from Easter Island and modern Montana to Iceland and Greenland how civilizations disintegrate: Mishandling of the fragile environment causes wars, famines, depopulation, and eventual breakdown—and we modern wastrels should learn from them all before it is too late. Of course, empires can seem to fall for other reasons, but usually historians fail to see that political and military causation “masquerades” deeper environmental degradation.

Diamond's natural determinism and condemnation of the West's pathological means of exploitation are nothing new, but represent a synthesis of the previous pessimisms from Marx and Toynbee to Paul Ehrlich and Kirkpatrick Sale. Most scholars, however, would accept the notion that societies like those of the Egyptians, Romans, Aztecs, or Ottomans—civilizations that, unlike those of Diamond's tiny settlements at Pitcairn Island or Vineland, had millions of inhabitants—at some period in their growth, evolution, and maturity inevitably declined; whether abrupt or insidious, such breakdowns were largely due to government overcentralization and rigid bureaucracy, affluence and leisure among a bored elite, high taxation, and depopulation in the countryside—all of which made rulers insensitive to change and unable to react rapidly to the radically new stimuli of invasion, novel religions, internal dissent, and, yes, occasional natural challenge.

In contrast to this broad historical picture, most of Diamond's examples are slanted: They involve fragile, mostly isolated or island landscapes that witnessed colonists, renegades, or adventurers who sought in their greed or ignorance to put too many people in the wrong place. Modern Montana cattlemen and miners, like Norsemen and Mayan big men of the past, are easy targets; Diamond breezily disparages them through comparisons to “modern American CEOs” and caricatured chauvinists who proclaim “the unconscious message, ‘We are Europeans, we are Christians.’” When the reader begins to suspect that these light,

anecdotal impressions are either irrelevant to larger historical questions or themselves internally inconsistent, Diamond coughs out a necessary qualifier: "I am not claiming," "On the other hand," and "Nor am I . . ."

The main problem, however, with this book is that Diamond's well-meaning, environmentally correct storytelling cannot impart any coherent lesson of why in fact societies fail. Environmental degradation, climate change, hostilities, political and cultural failures, and trade are cited as the roots of collapse, but are used so interchangeably that we never learn to what degree mismanagement of nature or of people brings on doom. As a result, when Diamond ventures into systematic analysis of historical questions that he knows nothing about, he has a predictable propensity to say things that are not simply wrong but hilarious.

Yes, Americans once clear-cut the northeast, but now it has more forests than ever—because, among other things, technology moved us beyond wood-burning fuels. Iceland lost its topsoil and trees and thus many of its early settlements—but modern technology, liberal government, and Western jurisprudence ensure that its current Scandinavian descendants inhabit a successful society despite its cold, denuded, and unfertile island. And if Diamond believes that is so because Icelanders finally got smart and now follow his environmentally correct nostrums, he should ask why *that* is so—or what would happen in a decade should they magically be transferred to Haiti or Yemen and, in turn, Haitians and Yemenis were to take over Iceland.

Perhaps the wealthy, pampered 9/11 terrorists did count on the teeming slums of the Middle East for their base of support, and no doubt Rwanda's genocide likewise had elements of too many people expecting too much from too few resources, but such environmental explanations are in the end fatuous when seen in larger and far more important political

and economic terms. A Singapore or South Korea—or Manhattan—shows that modern technology, free markets, and the rule of law create a fluid and ever responsive social structure that can trump tribalism, religious fundamentalism, and the miseries of material poverty, limited resources, and an unforgiving nature.

Diamond also fails to see that his "masquerading" works both ways. If we historians are fooled into thinking environmentally degraded societies lose wars owing to military ineptness rather than resource depletion, then he is utterly incapable of seeing that material want is often a mere pretext for national delusion and aggression. Germany is more populous

today on smaller territory than in 1939, when it advanced the bogus notion of *Lebensraum*; overcrowded contemporary Japan, Inc. does fine within its smaller borders without warring for a Greater Co-Prosperity Sphere. Few think that the Falklands were vital to Argentina's food supply.

In an age of sophisticated fertilizers that can implant huge amounts of nitrogen into the soil through a variety of mechanical, chemical, and "organic" mechanisms, it is simply not true—as I can attest from 30 years of

farming trees and vines—that in Montana "apple orchards, which were initially very profitable, collapsed, due to in part to apple trees' exhausting the soil's nitrogen." Diamond laments that out-of-state homeowners are "careful to stay in Montana for less than 180 days per year in order to avoid Montana income tax and thereby [not] to contribute to the cost of local government and schools," but ignores the logical corollary that many of his maligned affluent Californian interlopers (and other commuters like them from other states) already pay almost 10 percent of their salaries back home for services that they, as absentee residents, do not fully use.

Diamond idealizes the Netherlands as one of the world's most environmentally sound countries, where the need to manage the tides has made it an especially communitarian culture of the "polter"—as if resource management will address

unassimilated Islamic ghettos, or as if such environmental sensitivity extended to the more mundane task of cultural integration. (In any case, that country is in near paralysis from, and now furious at, the murder of Theo Van Gogh and Islamic fundamentalist threats to its democracy.) Similarly, Diamond's idea that the Australian continent not only cannot support its present small population, but is doomed unless it reverts to a more natural human community of 8 million is ludicrous. The recent history of Australia has actually seen a steady rise in the standard of living, directly connected with growing population and a newfound allegiance to free trade, open markets, and foreign investment—all of which have capitalized on the rich Australian environment in novel and often sustainable fashion.

Finally, the moral lectures about contemporary Western dissipation are sadly compromised by occasional hypocrisy. While I think Diamond is absolutely right that "wealthy people" often "insulate themselves from the rest of society" and "use their own money to buy services for themselves privately," I also know that his own environment of Westwood and UCLA is not quite Bakersfield or Memphis, but one of the most affluent and secluded in the world. Diamond's ample reference in the text to dozens of overseas trips, and numerous sabbaticals and research grants the world over, testifies not merely to his privilege, but also to the success of the modern Western world in altering the environment. Safe and rapid global travel, modern medicine, and the security brought through jurisprudence—all developed over the same 2,500 years of Western exploitation that Diamond takes jabs at—are a world away from the brutish, more natural world of New Guinea that in the past he has often romanticized, but ultimately chooses to visit periodically rather than raise his children in on a permanent basis. Indeed, the exploitation of fuels, ores, and soils that Diamond seems to think is so often reckless and presages our own collapse is very often *not* reckless, and thus inseparable from his own current enlightened and rich existence.

Parts of *Collapse* are a therapeutic and salutary reminder to recycle more, trade in our gas-guzzling SUVs, and cut back on the parathion, but sound history this book unfortunately is not. **NR**

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technology,
free markets,
and the rule of
law create a
fluid and ever
responsive
social structure
that can trump
material
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You read that right. He was not only shut down—but also forced out of the country where others benefited from his discovery. That was 38 years ago. How many other treatments have they been allowed to hide? Just as in the case of Dr. Burton's miracle serum these too go unmentioned.

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"We purchased *How to Fight Cancer & Win*, and immediately my husband started following the recommended diet for his just diagnosed colon cancer. He refused the surgery that our doctors advised. Since following the regime recommended in the book he has had no problems at all, cancer-wise. If not cured, we believe the cancer has to be in remission."

—Thelma B.

"I bought *How to Fight Cancer & Win* and this has to be the greatest book I've ever read. I have had astounding results from the easy to understand knowledge found in this book. My whole life has improved drastically and I have done so much for many others. The information goes far beyond the health thinking of today."

—Hugh M.

"I can't find adequate words to describe my appreciation of your work in providing *How to Fight Cancer & Win*. You had to do an enormous amount of research to bring this vast and most important knowledge to your readers.

My doctor found two tumors on my prostate with a high P.S.A. He scheduled a time to surgically remove the prostate, but I canceled the appointment. Instead I went on the diet discussed in the book combined with another supplement. Over the months my P.S.A. has lowered until the last reading was one point two."

—Duncan M.

"In my 55 years as a Country Family Physician, I have never read a more 'down to earth,' practical resume of cancer prevention and treatments, than in this book. It needs to be studied worldwide for the prevention of cancer by all researchers who are looking for a cure."

—Edward S., M.D.

"As a cancer patient who has been battling lymphatic cancer on and off for almost three years now, I was very pleased to stumble across *How to Fight Cancer & Win*. The book was inspiring, well-written and packed with useful information for any cancer patient looking to maximize his or her chances for recovery."

—Romany S.

"I've been incorporating Dr. Budwig's natural remedy into my diet and have told others about it. Your book is very informative and has information I've never heard about before (and I've read many books on the cancer and nutrition link). Thanks for the wonderful information."

—Molly G.

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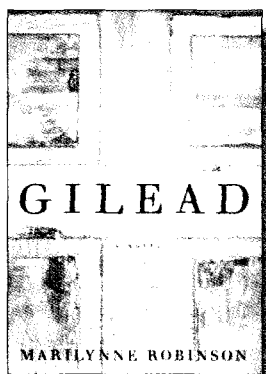
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Now, a Masterpiece



Gilead: A Novel,
by Marilynne Robinson
(Farrar, Straus and Giroux,
256 pp., \$23)

JEFFREY HART

PROSE worth rereading does not merely communicate: Lucidity with “elegant variations,” as they used to be called, is not worth a second look, since you get the point. The best prose makes things happen. It uses pace, rhythm, length of phrase and sentence, pauses, vocabulary, imagery; it brings into being the experienced reality of a mental world.

In his *New York Times* review of Marilynne Robinson’s novel *Gilead*, James Wood wrote that in her work, “silence is itself a quality, [and] the space around words may be full of noises.” That should catch anyone’s attention; it did mine. And Wood was right.

First of all, Robinson slows things down, as in an old epistolary novel. *Gilead* employs a diary form; what plot there is does not drive the reader ahead. Gradually, as the book slows down your ordinary pace, you begin to read patiently and with wonder.

Set in the small Iowa town of Gilead in 1956, the narrative consists entirely of a long letter written by local pastor John Ames, 76, to his seven-year-old son by his

second and much younger wife. The Reverend Ames has angina pectoris and knows he will die, probably soon. He wants the boy to read this meditative autobiography much later, when perhaps he will understand it.

In Gilead, out on the bleak prairie, nothing much happens, except everything. We glimpse the history of the United States and of Protestantism, and the achievement by Ames of what can only be called a kind of holiness, for which the barrenness and the meditative slowness seem necessary conditions, as he achieves a concentration of mind that enables him to see, hear, reflect, his senses so alive to profound experience:

I have lived my life on the prairie and a line of oak trees can astonish me.

In those days, as I have said, I might spend most of a night reading. Then, if I woke up still in my armchair, and if the clock said four or five, I’d still think how pleasant it was to walk through the streets in the dark and let myself into the church and watch the dawn come into the sanctuary. I loved the sound of the latch lifting. The building has settled into itself so that when you walk down the aisle, you can hear it yielding to the burden of your weight. It’s a pleasanter sound than an echo would be, an obliging accommodating sound . . . After a while I did begin to wonder if I liked the church better with no people in it.

I was struck by the way the light felt that afternoon. I have paid a good deal of attention to light, but no one could begin to do it justice. There is a feeling of the

weight of light—a pressing the damp out of the grass and pressing the smell of sour old sap out of the boards on the porch floor and burdening the trees a little as a late snow would do.

There is a reality in blessing, which I take baptism to be, primarily. It does not enhance sacredness, but it acknowledges it, and there is a power in that. I have felt it pass through me. The sensation is really knowing a creature, I mean really feeling its mysterious life and your own mysterious life at the same time.

John Ames is talking about the experience of Being, and so firm is his grasp on the world that every word touches that mystery and every word counts: the boards in the floor yielding, the sense of light having weight, the sound of the latch, which he loves. Ames meets Francis of Assisi, Anselm, even Heidegger: As existence becomes conscious of itself it reaches its own edges, sees the world with greater clarity, and wonders about its is-ness.

Ames, a third-generation preacher, embodies a stage in the development of American Calvinism. Though his father was a pacifist, his grandfather was a Cromwellian terror. “My grandfather seemed to me stricken . . . like a man everlastingly struck by lightning, so there was an ashiness about his clothes . . . and his eye had a look of tragic alarm.” As a young man in Maine, the grandfather had a vision of Jesus, his wrist in manacles that cut to the bone. He rode west to “Bleeding” Kansas and joined Osawa-

tomie John Brown, whose night-riders were using guns and broadswords to slaughter Southern sympathizers and their families: Ames’s father told him the story of “being awakened by sounds in the night and of walking outside and seeing old John Brown’s mule coming out through the doors of his father’s church . . . the church smelled like horses and gunpowder.” The grandfather rode away with Brown. In those days, he preached with a pistol in his belt, “preaching his people to war.” Ames remembers him as “a wild-haired, one-eyed, scrawny old fellow with a crooked beard like a paintbrush left to dry with lacquer on it.” When his one eye looked at the boy it was like being poked

LECTURE

The hip professor lectured to his class this afternoon, but not a sound was heard, which looked quite odd, and certainly didn’t pass unnoticed, but no one said a word. Why bother? His students had better things to think about: their dreams, and loves, and wedding rings, and where they’d eat tonight, and what they’d drink, and death, and cancer, and serious family things. He finished. Class dismissed. It was, he thought, his best performance of the year. A notion his students supported, having never bought his clever cynicism and self-promotion, thinking it’s better to learn nothing today than learn whatever crap he couldn’t say.

—WILLIAM BAER

with an accusatory stick. Once when Ames as a boy entered their house, his mother told him that "the Lord is in the parlor." The boy looked in and saw the old man talking with God, "attentive and sociable . . . I would hear a remark from time to time, 'I see your point,' or 'I have often felt that way myself.'"

Years ago I began reading Calvin's *Institutes*, his comprehensive theology. Its logical machine hums along without a hitch. Suddenly, I realized, "This man thinks he knows the mind of God. It turns out He's Euclid." Of course Grandfather Ames knows the mind of God: He talks to him in the parlor.

That after this dangerous Old Testament warrior the father has become a pacifist can readily be understood. That our John Ames would have the special qualities we find here, however, is unexpected, singular. One thinks perhaps Calvin, filtered through Francis of Assisi and Wordsworth. He even understands that impatience and irritation, so familiar to almost all of us, are forms of anger, and as such impediments to seeing the astonishing thing that the world and Being really are, seeing that there is *this*—instead of nothing.

We may have come to that point ourselves, through intelligence. For example, Ludwig Wittgenstein was the ablest logician of his time. As Bertrand Russell's apprentice in logic at Cambridge, he so far outdistanced Russell that the master abandoned logic altogether and turned instead to popular writing, for which he won a Nobel Prize in literature. In his *Tractatus Logico-Philosophicus* (1921), Wittgenstein pushed the logical-empirical method as far as it could go, reached a wall, and, beyond empiricism, concluded that there is more, calling the more *das Mystische*. He had no language for it.

Astronomers have also reached the edge, measuring the radiation from the Big Bang and calculating the age of the universe: about 13.7 billion years. This has been confirmed by the Hubble telescope. Long ago, the ancient rabbis who wrote the theological poem beginning Genesis looked over the edge: "In the beginning . . ." Beyond time and space, science—that is, empiricism—cannot go, and must become speechless.

The Rev. John Ames here perceives the empirical world so sharply that around the edges of his words we hear the

"noises," as James Wood puts it. These do not resemble the terror we sense around Hemingway's equally hard edges, our sense of terror in Hemingway the result of suggestions created by units larger than the sentence. In Robinson's prose the presences are much more benign, because of the way Ames apprehends the world.

She has found the perfect way to end this extraordinary performance. Despite the unaccommodating phase of ordinary culture through which we live, her subject is holiness. John Ames writes to his son:

I love the prairie! So often I have seen the dawn come and the light flood over

the land and everything turn radiant at once, that word "good" so affirmed in my soul that I am amazed I should be allowed to witness such a thing. . . . Here on the prairie there is nothing to distract attention from the evening and the morning. Nothing on the horizon to abbreviate or to delay. Mountains would seem an impertinence from that point of view.

I'll pray that you grow up a brave man in a brave country. I'll pray that you find a way to be useful.

I'll pray, and then I'll sleep.

All I can say is, "Wow." Marilynne Robinson's prose makes things happen. She can handle the language, and more. **NR**

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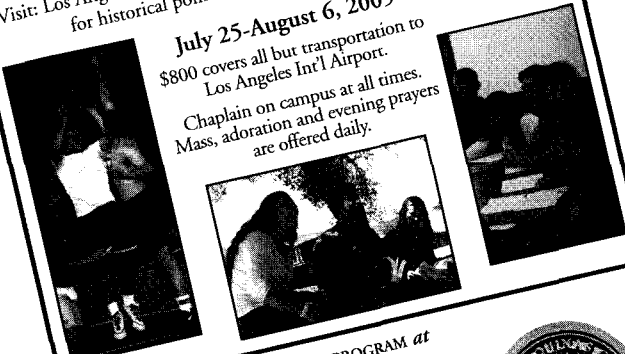
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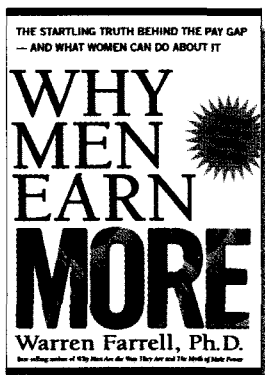
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Why Men Earn More: The Startling Truth Behind the Pay Gap—And What Women Can Do About It,
by Warren Farrell
(Amacom, 288 pp., \$23)

LOREDANA VUOTO

WE've all seen the statistics that purport to show the raw deal women get in the workplace. But that raw deal simply doesn't exist, writes Warren Farrell in this new book: It's lifestyle choices, not gender identities, that determine salaries. If women choose more of the same professions as men, and follow similar career paths, they will earn salaries equal to those of their male counterparts.

Even within the limits imposed by their choices, women's comparative wages have made great progress in recent years. According to a 2003 GAO report, women earn 80 cents for every dollar a man makes—a significant increase from the 59 cents women earned compared with a man's dollar back in the 1970s. But Farrell, author of such previous best-sellers as *Why Men Are the Way They Are* and *The Myth of Male Power*, focuses on

Loredana Vuoto is a speechwriter to the assistant secretary for the Administration for Children and Families of the U.S. Department of Health and Human Services. The views expressed in this review are solely her own.

the bigger sociological picture—contending that women actually earn *the same* as men if they have equal experience and qualifications, and are doing a similar job in identical working conditions. In fact, he contends that—despite the numerous lawsuits launched by women every year against their employers—women are not being discriminated against in the workforce: They are being victimized not by their employers, but by their own bad professional choices.

Farrell's extensive research is persuasive: Women generally earn less than men because they choose jobs that are more "fulfilling, flexible, and safe." These jobs usually pay less. For example, the librarian with a graduate degree will earn less than a garbage collector who dropped out of high school. The same applies to the educated art historian working in a museum versus the uneducated coal miner working in a mine. The garbage collector and the coal miner get higher salaries because their work involves greater risk and less pleasant working conditions. Few workers are willing to accept the conditions in these blue-collar, male-oriented jobs—so employees willing to work in these fields are a more precious commodity than workers in lower-paying professions, including librarians and art historians.

Farrell suggests 25 ways women can level the salary playing field. Among his recommendations are that women choose careers in technology or science, work longer hours, accept more responsibilities, and take jobs that are more dangerous and in unpleasant environments. He notes, however, that these solutions—instead of empowering women—may leave them bereft of true power, which he defines as "control over one's life." He believes that "pay is about giving up power to get the power of pay," and that by choosing to make more money, women limit their options. They forfeit the quality of life they enjoyed when they worked less and in better, non-stressful working environments. They risk relinquishing a profession they feel passionate about for one they dislike. They also will have less opportunity to have children, take maternity leave, or work flexible hours to take care of their children. If they do decide to have children and raise them, chances are they will lose their position and their high salary.

Farrell's observations about women and the pay gap are bracing, but his proposed solutions are less than adequate for real-life situations. He suggests, for example, that a woman who wants children, or who already has them, should find a mate who is willing to stay home and be the primary caretaker. Such men, of course, are few and far between. And what about the single mother who can't afford to relocate or work long hours since she must take care of her children? Or the woman who risks losing custody of her children if she pursues any of Farrell's suggestions? Or the mother who is reentering the job market after a 15-year absence because she chose to raise her children? For them, Farrell has little helpful advice.

Farrell's 25 solutions basically outline a philosophy of gender neutrality: To earn equal pay to a man, a woman must renounce the specifics of her sex. This is the ultimate goal of feminism, so we should not be surprised that Farrell is the only man to be elected three times to the board of directors of the National Organization for Women (NOW). His analysis reveals the fundamental contradictions at the heart of the modern feminist movement: Although appearing to champion the cause of women, Farrell finally sells them short by viewing them merely as units of production.

But he also lays bare the unpleasant truth about working women. For decades, feminists and Hollywood have perpetuated the myth that a woman can have it all—a successful, high-powered career, with time for a loving husband and children, all the while looking glamorous, sexy, and carefree. The reality, however, is that working women today are more stressed, overworked, and underappreciated than they were prior to the women's liberation movement. Pursuing a career carries trade-offs and costs, which usually come at the expense of family and children. A similar dynamic holds true for women wishing to spend more time at home: The result will be less time and less productivity at the office. This book poignantly illustrates why feminism's war on human nature is destined to fail: Instead of chasing the chimera of perfect wage parity between the sexes, women will continue to harbor the natural desire to be devoted mothers and wives.

NR

A Man of The Gospel



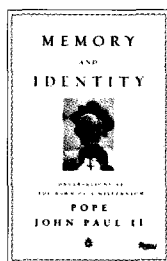
MICHAEL POTEMRA

To call the new book by Pope John Paul II a valediction is, in the most obvious sense, premature: Its author, though devastated by illness, has a famously strong constitution, and may well continue his earthly pilgrimage for years to come. But *Memory and Identity: Conversations at the Dawn of a Millennium* (Rizzoli, 192 pp., \$19.95) is indeed a valedictory work in that it attempts to make Christian sense of the century just passed: to say *Goodbye to All That*, in a way that sets up signposts for the future.

Central to the Pope's vision in this book is the Thomistic theological insight that the mystery of evil—manifested so starkly in the 20th-century ideologies of Nazism and Communism—is essentially parasitic on the mystery of the good, and that it is a category mistake to elevate evil into an absolute principle. “The Lord God allowed Nazism twelve years of existence,” he writes, which was “the limit imposed by Divine Providence” on this particular chastisement; Communism lasted longer, but it too eventually collapsed. In both cases, man's attention should be drawn beyond the phenomenon of evil to the phenomenon of the *limit* on evil: a limit that “is constituted by good—the divine good and the human good that have been revealed in that history.” This limit is set not just in a seemingly erratic way, instance by instance all the way down through the chronicles of human slaughter, but most fundamentally in the Redemption worked by Christ, whereby

“evil is radically overcome by good, hate by love, death by resurrection.” The world is clearly broken; in Hamlet's phrase, it is “out of joint.” The theological term most commonly used to describe the fixing of this brokenness is “justification.” The Pope reflects on the “superabundant measure” in which God has accomplished this justification: The sacrifice and victory of Christ do not merely repair the damage wrought by original sin—the ruined world in which Hitlers and Pol Pots thrive, however briefly—but elevate man to an even higher destiny.

This destiny is an enjoyment of, and participation in, the divine nature. “In God's plan of salvation,” the Pope writes, “it is only by agreeing to be grafted onto Christ's divine Vine that man can become fully himself. Were he to refuse this grafting, he would effectively condemn himself to an incomplete humanity.” This is John Paul's explanation of “the drama of the European Enlightenment”: In marginalizing Christ's role in history, Enlightenment ideologies helped pave the way for the dehumanization that reached its zenith in 20th-century totalitarianisms. But this Pope's criticism of the Enlightenment



is very different from the anti-Enlightenment views of reactionaries nostalgic for the days of throne and altar. “The European Enlightenment not only led to the carnage of the French Revolution,” he writes, “but also bore positive fruits, such as the ideals of liberty, equality, and fraternity, values which are rooted in the Gospel. Even when proclaimed independently, these ideas point naturally to their proper origin. Hence, the French Enlightenment prepared the way for a better understanding of human rights. . . . This was the time when human rights began to be properly acknowledged and put into effect more forcefully, leaving behind the traditions of feudalism.”

The idea of a Pope praising “liberty, equality, and fraternity” would have horrified 19th-century ultramontanists; but John Paul II's understanding of that era is deep, judicious, and devoid of sectarian spirit. *Memory and Identity* is, finally, a call to Christians to remember

who they are: people with a mission to bring the good news of Christ and His Redemption, the whole truth about man, to their fellow men and women. “When he was instituting the Eucharist during the Last Supper, [Christ] said, ‘Do this in memory of me.’ . . . Christians, as they celebrate the Eucharist in ‘memory’ of their Master, continually discover their own identity. The Eucharist highlights something more profound and at the same time more universal—it highlights the divinization of man and the new creation

in Christ. . . . At the beginning of the third millennium, Christians, though divided among themselves, are conscious that unity and not division belongs to the most profound essence of the Church.”

This short book is a message of hope for our time, a reminder—

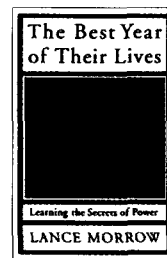
after an especially brutal century—that “all human suffering, all pain, all infirmity contains within itself a promise of salvation, a promise of joy.”

■ One of the season's most exciting political books is *Reagan's Revolution: The Untold Story of the Campaign That Started It All* (Nelson Current, 417 pp., \$25.99), by Craig Shirley. Many chapters in the Reagan story have become worn through repetition; not so his daring attempt in 1976 to unseat incumbent president Gerald Ford. Reagan's insurgency against the GOP Establishment, and against the entrenched ideology of mainstream liberalism, could have been the last gasp of the 1964 Goldwater forces; it proved, instead, to be the birth pangs of the mainstream conservatism that would prevail in America for decades to come. Craig Shirley is well known as a talented

political operative; he shows himself in this suspenseful book to be, as well, a skillful and engaging writer.

■ In *The Best Year of Their Lives: Kennedy, Johnson, and Nixon in 1948: Learning the Secrets of Power* (Basic, 312 pp.,

\$26), veteran *Time* magazine writer Lance Morrow shows us three future presidents facing early political tests. All three were outsize figures: “John Kennedy would be Apollo. Richard Nixon would be Vulcan, god of the



American underearth. And between Kennedy's Camelot and Nixon's Shadowland, there would fall the interval of the False Claimant."

The story Morrow tells is interesting in itself, but his style and generosity of spirit make this book all the more moving. He quotes a line from Thoreau, "I long ago lost a hound, a bay horse, and a turtle dove, and I am still on their trail"—and finds an echo of it in the sadness of Nixon, whose story, "beneath the drama of the struggle for power and the hurt and viciousness and ambition and manipulation of ideals," carries "a thin strain of lamentation, barely audible, like a memory of bleached bones beside the trail." Morrow is also a gifted inventor of analogies. To see, for example, in JFK's conduct of the presidency similarities to Harry Lime's escapades in the 1948 film *The Third Man* is a stroke of genius; and to explain persuasively the similarity between Richard Nixon's character and Lana Turner's—both were "tough, complicated, Depression-bred survivors who left behind them a trail of collateral damage"—is an act of fearless, quirky perceptiveness.

Morrow's chapter on the Hiss-Chambers drama is rather too close to conventional liberal wisdom; with this single exception, he has produced a fair-minded and highly readable work of biography and political history.

■ One of the best-known historical tidbits about the Founders is that George Washington's favorite play was Joseph Addison's *Cato*. With the publication of *Cato: A Tragedy, and Selected Essays* (Liberty Fund, 282 pp., \$12), in a new edition by Christine Dunn Henderson and Mark E. Yellin, readers can conveniently explore for themselves the appeal of this uplifting neoclassical drama. The struggle for freedom may not always succeed, at least not in the short term—but it is, in itself, a virtuous act and worth undertaking: "'Tis not in mortals to command success, / But we'll do more, Sempronius; we'll deserve it." Addison remains best known as an essayist, and this volume contains 32 of his contributions to such periodicals as the renowned *Spectator* and *Tatler*. **NR**

■ MUSIC ■

A Dozen Discs

JAY NORDLINGER

FAZIL SAY, a pianist, is enjoying a well-promoted career. He's Turkish-born, in his mid-30s, energetic. He tours around with distinguished musicians such as Maxim Vengerov, the violinist. And he makes records—or CDs, if you must—which is not all that common these days. His latest is of Mozart concertos, three of them, No. 12 in A major ("the little A major"), No. 21 in C major, and No. 23 in A major (the not-little A major). Playing with him is the Zurich Chamber Orchestra, conducted by Howard Griffiths; the label is Naïve—I'm not insulting it, just providing its name. Say has been affected by the "period" movement, sounding at times almost like a fortepianist. He is crisp, sprightly, clean—sometimes clipped, which is not so good. His tone can be brittle, or metallic. And middle movements might have more bloom. Occasionally he sounds like he's trying to be a good boy—stylistically correct—when he should let himself be musical. But he's a worthy pianist, stating a case. What's more, Say is a composer, writing a variety of works. This is all too lacking in musicians today. The performer/composer split is all too great. Hurrah for Fazil Say.

■ Two pianists have recently recorded Beethoven's Sonata in A major, Op. 101, one of that composer's most sublime works. **Anton Kuerti** pairs it with the "Hammerklavier" Sonata, on the Analekta label. This pianist was born in Austria, but he grew up in the U.S., and has spent the bulk of his career in Canada. He has a fine mind, though we may have reservations. His Op. 101 is peculiar. The wonderful, F-major march is weirdly light—and if Fazil Say is clipped, Kuerti is ultra-clipped. And the gnarly, imposing fugue of Op. 101? Slow and gentle. Kindly, you could

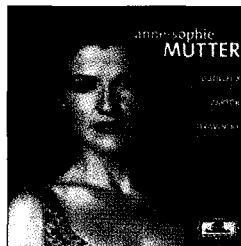
say that Kuerti's approach is "introspective" and "poetic." In truth, it is wrongly tepid, bordering on defeatist. **Murray Perahia**, however, has made a magnificent recording of this sonata (on Sony). He plays like the Perahia of old, which is to say with penetration and refinement. He is also a conductor these days, and Op. 101 is preceded by Beethoven's String Quartet No. 12 in E flat, Op. 127, arranged for string orchestra. The ensemble is the Academy of St. Martin in the Fields. That is a commendable performance, too.

■ **Anne-Sophie Mutter** has attracted many composers, as well as many fans (other fans, one might say). Not the least of the composers who have written for this starry violinist is her husband, André Previn. (The other week at Carnegie Hall, Mutter played the Previn Concerto, with the composer on the podium.) Henri Dutilleux has given her *Sur le même accord*, or *On the Same Chord*, a short piece for violin and orchestra. It is mysterious, songful, ruminative, highly concentrated—spare, but not self-negating. On a new CD from Deutsche Grammophon, Mutter treats her piece with customary expertise. This performance was recorded live two years ago; Kurt Masur conducts the Orchestre National de

France. Also on the CD are Bartók's Second Concerto and Stravinsky's Concerto in D, recorded many years ago with other orchestras and conductors. Dutilleux, by the way, is one of our most senior composers, born in 1916. Elliott Carter calls him kid,

however—he was born in 1908, and is still going strong, seen in concert halls—certainly in New York—whenever a work of his is programmed.

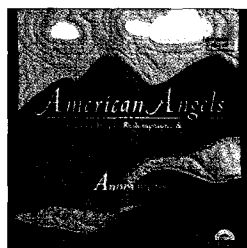
■ Many of Bruckner's nine symphonies are monuments of spiritual greatness. You would never dare rank them. But some of us have a special fondness for the Fifth, which unassumingly builds, until it leaves you numb with appreciation. Here, as much as in any other symphony, Bruckner pays tribute to his musical master, Bach. Many of the important conductors have recorded this work, and now **Nikolaus Harnoncourt** has his turn, before the Vienna Philharmonic (on RCA Red Seal). In former years, Harnoncourt was known



especially for early music, having founded his own group for the advocacy of such music. (This was the *Concentus Musicus Wien*.) Increasingly, however, he has been doing big music, and he often does it with the Vienna Philharmonic. In Bruckner's Fifth, this orchestra plays sumptuously, as you would expect, with several individuals distinguishing themselves. That Harnoncourt is equal to the spiritual greatness of this work, I dispute; for me, that devastating—and glorious—momentum is absent; and mystery is slighted in favor of bluntness. But this conductor has his admirers, and they will admire this performance. They'll also like the companion CD, which contains rehearsal excerpts. Even those who don't understand German will grasp many points.

■ Sir **Lennox Berkeley** is one of those 20th-century English composers almost never heard in the United States. A shame. Berkeley, along with many of his compatriots, is worth hearing, if not immortal. Chandos has been publishing *The Berkeley Edition*, of which we now have Volume 5. This disc includes Berkeley's Piano Concerto and the Four Poems of St. Teresa of Avila, for contralto and orchestra. The latter work is associated with the great singer Kathleen Ferrier, who left a recording of the Teresa songs, but a poor one (that is, poor in recorded sound). On this Chandos disc, we have the contralto Catherine Wyn-Rogers. We also have a couple of works by Michael Berkeley, the composer's son, born in 1948. *The Berkeley Edition* is a family affair. Berkeley père enjoyed a long life—1903 to 1989—and he produced a large body of work. In it is an opera, *Nelson*, about the admiral. Readers of this magazine may wish to know that the libretto is by Alan Pryce-Jones, the late father of our senior editor David Pryce-Jones. AP-J was a prominent editor and writer, among whose books was a biography of Beethoven. *Nelson*, premiered in 1954, celebrated its golden anniversary last year.

■ And now for something American—a couple of things American, actually. Harmonia Mundi gives us a disc called *American Angels: Songs of Hope, Redemption, and Glory*, sung by “the



Anonymous 4,” who are, in fact, a quartet of women perfectly happy to supply their names and photographs. Over the years, they have recorded a range of literature, most of it early (as in Hildegard von Bingen early). On the American disc, they sing folk hymns, gospel songs, and the like from the Federalist period to just after the Civil War. These tunes are northern and southern, all of them reminding us of a remarkable heritage, and a religious one. The Anonymous 4, however, have the annoying habit of scooping up to a note—any top note comes off as though preceded by a grace note. This is a habit that has long infected American singing, so I guess that, alas, is part of our heritage too.

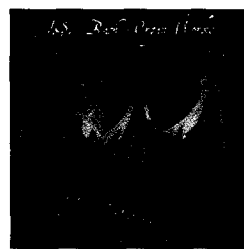
One of the least annoying parts of our heritage is Art Tatum, the great jazz pianist who died in 1956. He was admired—marveled at—by every pianist who ever heard him, most famously by Horowitz. And his improvisations were attempted by every pianist with technique and daring (though this rarely occurred in public). Now comes **Steven Mayer**, a New York-based pianist, to play 17 of Tatum's improvisations on a disc from Naxos (part of its American Classics series). Obviously, Mayer is not Tatum. The great man's charm is missing from “Humoresque,” and the miraculous final section of that improvisation is way too fast. But Mayer is a competent pianist, and he clearly has guts. And is it his fault that Tatum is inimitable? Inimitability aside, I have a suggestion: Pianists should include some Tatum improvisations in their encore repertory. I nominate Jean-Yves Thibaudet, a French pianist who, like so many of his countrymen, has an affinity for jazz. And Thibaudet has the technique and musicality to do right by Tatum. Probably.

■ Finally, a dip into the historical-reissue bins. Where were you on April 13, 1940? Joseph Szigeti and Béla **Bartók** were in the Library of Congress, playing a recital of Beethoven, Debussy, and, of course, Bartók. You can hear this recital on Vanguard Classics (“Recordings for the connoisseur,” they tell us). Szigeti was Bartók's violinistic champion, and they were frequent recital partners. Somewhat

forgotten today is that Bartók was a fine pianist, equal to his own works, which are challenging both technically and musically. On this recital, Szigeti and Bartók play Beethoven's “Kreutzer” Sonata, and the pianist is perhaps surprisingly expressive. You might have expected him to be cool. And, in the theme-and-variations movement particularly, we can hear that he thinks like a composer. Debussy was one of the composers Bartók loved most, and learned most from, and he does his part in Debussy's Violin Sonata ably. As for the Bartók works, they are the Sonata No. 2 and the Rhapsody No. 1. Are these performances definitive, just because the composer is at the piano and his favorite violinist is by his side? No, but they are awfully good.

■ A king of the organ in the middle part of the 20th century was **Anton Heiller**, an aristocratic Austrian—aristocratic in his playing, that is. Vanguard Classics brings him back to life—or perpetuates his life—with an all-Bach CD, which begins with the famous Prelude and Fugue in E minor, nicknamed the “Wedge,” and ends with the beloved Fantasy in G. Heiller plays the organ of a Swedish church once served by Buxtehude. Self-evident in his playing is an uncommon devotion to craft, to Bach, and to music itself.

■ We'll conclude with the human voice, or rather several of the best we've ever known. The aforementioned **Kathleen Ferrier** died in 1953—she was only 41—but all can experience her through recordings such as the Bach and Handel program available from Decca. This was her last recording, and it communicates her deep, hard-to-

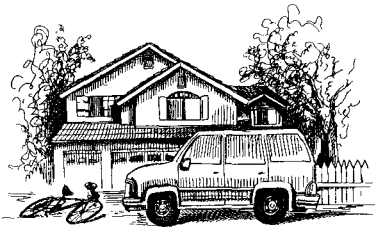


explain humanity, as well as her vocal mastery. And from EMI we have *I Capuleti e i Montecchi* (*The Capulets and the Montagues*), Bellini's opera treating Shakespeare's star-crossed lovers. The cast includes **Janet Baker** (before she was a Dame), **Beverly Sills** (certainly an American dame, and specifically a Brooklyn one), **Robert Lloyd**, and **Nicolai Gedda**. The New Philharmonia is conducted by the elegant, and elegantly named, **Giuseppe Patanè**. You want to know what bel canto is? This, my friends, is bel canto.

NR

■ THE STRAGGLER ■

Last Call



JOHN DERBYSHIRE

THE college I attended had a large teaching hospital attached, so I spent many hours of my youth socializing with medical students. They were an amiable crowd on the whole, though my reverence for the medical profession never quite recovered from the spectacle of half a dozen of Britain's future neurosurgeons and cardiologists at the Wheatsheaf pub around closing time attempting to belch "God Save the Queen!" in chorus.

Well, I recall a conversation with a medical student who had just completed his final exams and was contemplating further study in some specialized area of medical practice. He was very knowledgeable about all the specialties, about the intra-professional prestige of each, their various remunerations and opportunities. He was personally attracted towards dermatology—a thing I found surprising, as the prospect of a lifetime spent inspecting other people's pimples and rashes did not seem to me to be very appealing at all. Ah, he replied with unanswerable logic when I mentioned this, but the dermatologist gets very few night calls.

What, I asked this fellow, was the *least* popular specialty among his classmates, when they discussed these issues among themselves? He replied without any pause for thought at all: geriatrics.

It is not hard to see why this should be so. The conscientious medical doctor wants to help people stay in the world, not to ease their passage out of it. The ailments characteristic of old age are in any case mostly incorrigible, so that the general atmosphere of terminal gloom that fills the doctor's workday is made darker yet by the knowledge that not much of what he does will have any

effect. Pity the poor geriatrician.

Pity even more his patients. Old age is too often a cruel and degrading business, and there does not seem to be any prospect that this will soon change. Death is of course the great leveler; but for those of us who reach old age, the leveling process may begin years before the end. We have all known vigorous and intelligent people reduced to shuffling incoherence by the aging process, at one with those lame and dimwitted folk past whom they sped so breezily in former days. "Now she is like the others," said Charles de Gaulle at the graveside of his Down-syndrome child. Visit an old folks' home, as I did recently, and gaze upon the socialist ideal of human equality at the other end of life.

The 20th century's great poet of death, Philip Larkin, wrote a poem titled "The Old Fools"; not easy to read, even if you are accustomed to Larkin's unsparing approach.

... do they fancy there's really been no
change,
And they've always behaved as if they
were crippled or tight,
Or sat through days of thin continuous
dreaming
Watching light move? If they don't (and
they can't), it's strange:
Why aren't they screaming?

This is not a universal condition, of course. If senescence can level the proud and the meek, old age can also sometimes be just as unfair as the rest of life. We see this person decrepit and muddled at 60, that one agile and alert at 90. Some of us will thrive in good health until felled instantly, like Dr. Johnson's friend Robert Levet: "Then with no fiery throbbing pain, / No cold gradations of decay, / Death broke at once the vital chain, / And freed his soul the nearest way." There is a health cult—my wife has some dealings with them—promoting the slogan: "Live long, die fast." Yet we all know from our own acquaintance that the horrors of Alzheimer's, arthritis, or a paralyzing stroke can happen to anyone, athlete or couch potato. Not many of us will be lucky enough to be transported instantaneously to the next world from a ski slope or a bed of lust. A sensible lifestyle can shift the odds a little, but the odds are still not good.

All this is worth bearing in mind as the

nation debates Social Security reform. Our present system is untenable, as Ramesh Ponnuru has demonstrated in these pages. Some sensible reform is needed. It is, however, hard to see how socialism can be squeezed out of the picture. Provide for ourselves? Decent nursing-home care is very expensive; and when you have run through all your life's savings, you will be in the same boat as other oldsters who made no provision at all. Trying, not very successfully, to manage my own parents' last years, I heard again and again, from professionals and commoners alike, that, as one seasoned and respectable geriatrician told me, "Saving money for your old age is a mug's game."

It is a cliché among prison reformers that the way a society treats convicted criminals is a good index of its level of civilization. I don't know about that; but the way we treat the helpless old would seem to me to be at least as good a measure. The state that Larkin called "hideous inverted childhood" presents a moral challenge not many cultures have risen to. Fables about the reverence for the old that pertained in past times or distant places evaporate quickly when you look closely at the evidence. In 19th-century Akenfield, the English village about which Ronald Blythe wrote a classic study, old folk were often put in outbuildings to endure cold and hunger until they ceased to inconvenience their descendants. Do not the Chinese manage these things better? Not all of them, to judge from the treatment of Tung Chi-ping's grandmother in his book *The Thought Revolution*: "The men . . . would give nothing to my maternal grandmother. Mother was pregnant, but she had to share her meager portion with the old lady . . . Grandmother was treated in this way simply because she was in no position to object to it."

In Japan, furry or childlike robots are being marketed as companions for lonely old people. "The [\$5,600] robot has the conversation ability of a five-year-old," says the news story I am looking at, "considered just enough for small talk to keep the elderly from going senile." Is that what it comes to at last, all this lusting and striving and praying? To curl up in bed with an infantile robot? ("Equipped with six sensors and an IC chip which keep track of the owner's sleeping time.") As Larkin wrote in that relentless way he had: We shall find out. **NR**

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WILLIAM F. BUCKLEY JR.

Killers at Large

NEW YORK, FEBRUARY 19

TONY Venenum (we'll call him), 26, reasons that he has always taken risks in life. He was raised by a single parent and made his way in a neighborhood where toughness was a requirement for survival. He discovered, in his teens, that he had solace in male companionship, and before he was 20, had been seduced, and had lived then with Guido, an older man. Both had jobs in establishments that required conformist behavior, but then Guido took sick and the diagnosis was AIDS. The retrovirus inhibitor kept him alive and active, but after two years the poison prevailed, leaving Tony both bereft and desperate for relief, which he found in crystal meth. This cheered him greatly but also increased his craving for sex, which he engaged in diligently. But then early in June he recognized symptoms like those that had gradually disabled Guido. He didn't consult a doctor—he had no trouble in getting access to the inhibitor drug, and the crystal meth, for a sometime street kid, was easy to find. So were more partners, to whom he didn't confide his illness. So that when the public health official came by and told him he wanted information, and if necessary could get a warrant, Tony decided fatalistically to cooperate.

The health office wanted the names and addresses of everyone Tony had had sex with, a question that made Tony laugh through his hoarse coughing. How could he possibly reconstruct such a list? A few guys, sure, but all of them? The *New York Times* reports, in two stories on the new and virulent strain of AIDS, that those who seek to do something to arrest the virus are driven to "more aggressive" measures than in the past. Charles Kaiser, the historian and author of *The Gay Metropolis*, makes the basic point: "Gay men should not have the right to spread a debilitating and often fatal dis-

ease. A person who is HIV-positive has no more right to unprotected intercourse than he has the right to put a bullet through another person's head."

Public health officials are considering measures which, 20 years ago, would have been thought fascistic interventions in human rights. There is thought of infiltrating gay sites, particularly those on the Internet. What, having identified such sites, will they then do? Interpose a message about the danger of unprotected sex? Collect names and e-mail addresses, and send individual warnings to prospective victims? Such measures are not easily composed: "Dear Sir: You have recently kept company with Tony Venenum. Tony has a new and dangerous strain of AIDS and you may have contracted it. You should report to a doctor and you must not engage in unprotected sex because in doing so you may be committing murder." The boundaries of the new campaign, let alone the niceties, haven't been resolved upon, but not much thought is being given to concerns of privacy. Murderers need to be stopped, and if this means opening their mail, well—such things happen and you can take comfort that you may be saving a life.

The objective is to identify the carrier, and to warn his victim. Someone, 20 years ago, suggested a discreet tattoo the site of which would alert the prospective partner to the danger of proceeding as had been planned. But the author of the idea was treated as though he had been schooled in Buchenwald, and the idea was not widely considered, but maybe it is up now for reconsideration.

Galbraith Up Close

NEW YORK, MARCH 4

PROFESSOR John Kenneth Galbraith leans back on his chaise longue and answers the question about the book: "I think it's fine. I couldn't have done it better if I had written it myself." The

reference is to *John Kenneth Galbraith: His Life, His Politics, His Economics*, by Richard Parker. "Did you read it?"

"Yes."

"The whole thing? I bet you didn't."

But his visitor had read it all, 800 pages, pronouncing it the most readable and instructive biography—certainly of the century.

Richard Parker is an economist at Harvard's Kennedy School of Government. His political and economic dispositions are most quickly identified by noting that he was the co-founder of *Mother Jones*, a leftist monthly missal. As one might expect, the biography comprehensively endorses the life work of the most influential economist since Lord Keynes. If there isn't a proper Galbraith legacy—as, for instance, there is a Milton Friedman legacy—at least there is this infinitely engaging memorial.

Galbraith, as every kindergartner knows, is a Canadian who grew up on the farm, took on agricultural economics, went to Berkeley for his doctorate, then to Washington, where he drank deep of the New Deal. He officiated over the wartime Office of Price Administration, which told 185 million people how much they could pay for a Tootsie Roll, and went on to *Fortune* magazine. Henry Luce is quoted as saying that he taught Galbraith how to write, and had regretted it ever since. This is not convincing—Galbraith was already, in 1944, an accomplished writer, as evidenced by quotations from him in this biography.

And on to Harvard (the right-wing trustees tried to keep him from getting in), where within a couple of decades he was widely acknowledged as the dominant figure on the cultural-economics scene, author of *The Affluent Society* and *The New Industrial State*.

He took time off to serve as ambassador to India, and stayed very close to John F. Kennedy, whom he had known as an undergraduate. A factor in the eminence of Galbraith is his utter willingness to assert himself and his views. His long and frequent letters to Kennedy were insistent on several themes, notably the need to placate the Soviet Union, and to ease up on the whole Indochina scene. After JFK's death, Galbraith simply proceeded with the business at hand, which was now the taming of Lyndon Johnson. In July 1964, a letter to President John-



son began, "I assume the following to be true, much official crap to the contrary. 1) Vietnam is of no great intrinsic importance. Had it gone Communist after World War II we would be just as strong as now and would never waste a thought on it. 2) No question of high principle is involved. It is their rascals or ours." An early enterprise in moral equivalence.

He had visited Vietnam and reported to Kennedy, making light of the threat of the Vietcong. "A comparatively well-equipped army with a quarter million men is facing a maximum of 15,000-18,000 lightly armed men. If this were equality, the United States would hardly be safe against the Sioux." He interrupted his own memo: "(Incidentally, who is the man in your administration who decides what countries are strategic? I would like to have his name and address and ask him what is so important about this real estate in the Space Age.")

So it went, for 60 years—knowing everybody, instructing everybody, this made tolerable by the humor, the style, and the penetrating intelligence.

The book is deeply informative. We see the divisions in the understanding of Keynesianism. And there are cameo scenes of salacious interest. LBJ turns one day on the Army chief of staff: "Bomb, bomb, bomb. That's all you know. Well, I want to know why there's nothing else. You generals have all been educated at taxpayer's expense, and you're not giving me any ideas and any solutions for this damn little pissant country. I don't need ten generals to come in here ten times and tell me to bomb. I want some solutions."

The solution, in Vietnam, was the betrayal of an ally. And the war was won against the Soviet Union by taking measures Galbraith deplored. But that is all in the past, and now we read about it, and about the economics department at Harvard, and about the most interesting and engaging public intellectual of the age.

Human Butchery

NEW YORK, MARCH 18

THE week gone by has been incessant in its reminders of human depravity, the collectivization of which was a spe-

cialty of the century gone by. There were singular acts of cruelty in old Russia, and indeed in Bismarck's Germany, but it required the resources of modern states to transform these into the Gulag of Stalin and the death camps of Hitler. Mr. Jan Egeland, the United Nations emergency relief coordinator in eastern Congo, reports that bloodshed there is the worst current humanitarian crisis. The toll in the Democratic Republic of the Congo has amounted to "one tsunami every six months." In December the tsunami killed 300,000 people.

A U.N. report tells of the kidnapping of hundreds of civilians from rival ethnic groups; some are tortured, the rest are forced to work as porters or sex slaves. "Several witnesses," according to Reuters, "reported cases of mutilation followed by death or decapitation."

Concurrently, Porter Goss, the head of our CIA, was reassuring Sen. Carl Levin that the deaths of four prisoners in American custody in Iraq and Afghanistan were hideous abnormalities. "We don't do torture," Goss said; we draw the line at "professional interrogation." A major reason for not engaging in torture, he explained, is that "torture is not productive," whereas with professional interrogation we have had demonstrated successes in averting attacks and capturing terrorist suspects.

We can, I think, accept that disavowal. As long as the kind of thing that happened at Abu Ghraib gets front-page attention and universal denunciation, bringing the perpetrators to trial and imprisonment, we are relatively chaste. But the question arises whether the U.S. and indeed the other Western industrial democracies are working convincingly to elevate human cruelty to the rank of infamy, where it belongs.

Consider the report last week in the *New York Times*, a feature on "A World of Ways to Say 'Islamic Law.'" We read of the Sharia, which is the Islamic code of justice, and its concern for enforcing the law. One form of punishment against adulterers is stoning—stoning the offender to death. But listen to a detail or two from the Iranian penal code: "The stones should not be too large so that the person dies on being hit by one or two of them; they should not be so small either that they could not be defined as stones."

In Iran, 11 women were condemned to

be stoned to death over the last four years. But consider the alternative: It is flogging, often in public—285 of these in a single year. A pretty conclusive sign of having crossed the Sharia, but not sufficiently to move to another stage of punishment, which is amputation. In Saudi Arabia, "amputation of the hand or foot is imposed for theft and burglary; highway robbery is punished by cross amputation." That last means they chop off, say, the right hand and the left foot. In Saudi Arabia, "a woman was sentenced to 65 lashes and six months' imprisonment for committing adultery with her sister's husband, even though she reportedly claimed that he had raped her. The man was sentenced to 4,700 lashes and six years' imprisonment. At least seven people, all foreign nationals, had their right hands amputated."

The question before the house, in this neocon age, is: What should the United States attempt to do to protest these routine, and extra-routine, extravagances against human decency? If we are prepared to venture out to endorse revolutionary democracy, why aren't we simultaneously singling out for reform such practices as here described?

Perhaps democratic reform is what you need, to progress to the abolition of human torture. That is a responsible position, but it does not tell us that silence should be the rule when our allies set out to stone and to amputate. Polemicists shoot back at us that, after all, we Americans engage in capital punishment. "So's-your-old-man" replies aren't persuasive. To execute a first degree murderer by needle injection after approximately ten years of judicial and executive deliberation doesn't constitute infamous behavior.

But we watch what goes on in the Islamist world, and the tsunami-every-six months carnage of the Congo, and we are doing virtually nothing to protest it.

—UNIVERSAL PRESS SYNDICATE



"Oh, heck—and my very first patient, too!"

happy warrior

MARK STEYN

According to Script

THE other day, as their latest contribution to the death spiral of American journalism, the Associated Press announced that they would now be supplying newspapers across the country with alternative versions of important stories—in order, as they put it, to “enhance the value of the AP news report to your newspaper.”

“The concept is simple,” the AP explained in a memo to newspaper editors. “On major spot stories—especially when events happen early in the day—we will provide you with two versions to choose between. One will be the traditional ‘straight lead’ that leads with the main facts of what took place. The other will be the ‘optional,’ an alternative approach that attempts to draw in the reader through imagery, narrative devices, perspective or other creative means.”

Imagery, narrative devices . . . Who can argue with that? Big important second-semester creative-writing-course stuff. Can’t get enough of it myself. If I’d been more on the ball, I’d have opened this column with a bit of specific gripping imagery myself. (Note: If you’re reading the “enhanced value” version of “Happy Warrior” that runs in the *Pocatello Times-Indicator-Courier-Union-Picayune-Whig-Leader*, the gripping imagery may well have been inserted by the helpful editors.)

Anyway, the AP offered a sample of the alternative versions it would be providing. Here’s the traditional:

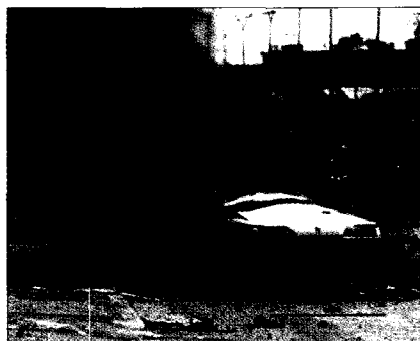
“MOSUL, Iraq (AP) A suicide attacker set off a bomb that tore through a funeral tent jammed with Shiite mourners Thursday, splattering blood and body parts over rows of overturned white plastic chairs. The attack, which killed 47 and wounded more than 100, came as Shiite and Kurdish politicians in Baghdad said they overcame a major stumbling block to forming a new coalition government.”

Here’s the optional:

“MOSUL, Iraq (AP) Yet again, almost

as if scripted, a day of hope for a new, democratic Iraq turned into a day of tears as a bloody insurgent attack undercut a political step forward. On Thursday, just as Shiite and Kurdish politicians in Baghdad were telling reporters that they overcame a major stumbling block to forming a new coalition government, a suicide attacker set off a bomb that tore through a funeral tent . . .” Etc.

Wow. “Day of hope” turning into “day of tears.” I haven’t seen that kind of sparkling prose since Barbra Streisand stood up at that big pre-Iraq Democratic-party gala and solemnly regaled the party bigshots with that Internet-hoax Julius Caesar soliloquy about the drums of war being whipped into the fever-pitch of a double-edged sword. Whoever wrote that should be manning the Fresh Vivid Imagery desk at the Associated Press.



But in the midst of that unreadable sludge of clichés, the AP’s desert bard came up with one unreadable sludgy cliché that gets the gist of their Iraq coverage better than anything: “almost as if scripted.” Isn’t that precisely the problem? It is pre-scripted. The good folk of Basra and Kirkuk don’t spring out of bed each morning saying, “Ah, another day of hope,” only to trudge off to dreamland 16 hours later wondering why yet again the day of hope turned into a day of tears, daring to sing yet another chorus of “The Sun’ll Come Out Tomorrow” but knowing deep down chances are the Sunni’ll come out tomorrow and blow up the schoolhouse.

As we learned on election day in January, that doomy drivel is imposed on the Iraqi people by the media’s pre-

scripters. And once the fellows holed up in the Green Zone hotels decided that the war was yet another Vietnam remake, everyone else got the hang of the formula pretty quickly. The old Baath-party translators the foreign press still use quickly learned to lead reporters by the nose to some whiny clerk from the Ministry of Fingernail Pullers and Genital Severers moaning about how he’d been laid off. The “insurgents” got the hang of staging their photo-ops on Eastern Standard Time, setting some secondhand Nissan alight each morning Baghdad time so that its plume of smoke could be conveniently filmed from the press-hotel balcony in time for the *Today* show and *Good Morning America*. Days of hope turned into days of tears as regular as clockwork.

And in between their Bridges-of-Madison-County imagery and Horse-Whisperer narrative devices, the Western media somehow managed to lose the story—functioning municipal government in the south, booming tourism in the north, normality and progress in three-quarters of the country. The insurgent-of-the-day approach to Iraq didn’t even capture *that* element correctly: On the second anniversary of the invasion, Agence France-Presse ran a story remarkably like the AP’s hypothetical specimen. The headline: “45 Killed In Insurgent Attacks.”

The lead paragraph: “At least 45 people have been killed in insurgent attacks across Iraq as Washington defended its decision to go to war on the second anniversary of the U.S.-led invasion.”

It took an Australian blogger, Arthur Chrenkoff, to poke deep down into the story and emerge with the most salient fact of this bloody toll—that of the 45 dead, 29 were “insurgents” themselves. Terrorism is supposed to be one guy indiscriminately killing large numbers of the other side. No terrorist network can survive long if it’s losing two of its own men for every one of the enemy. *That’s* the story: a day of hope turned into yet another day of tears—for the insurgents.

With a few honorable exceptions, Iraq coverage has been a truly spectacular failure. One day in the future, we’ll dig out the yellowing clips and wonder how America managed to lose every daily battle and yet still win the war. **NR**



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